



# Journal of the Senate

Number 2—Special Session H

Tuesday, June 22, 1982

The Senate was called to order by the President at 9:00 a.m. A quorum present—39:

Mr. President	Grizzle	Margolis	Skinner
Anderson	Hair	Maxwell	Steinberg
Barron	Henderson	McClain	Stevens
Beard	Hill	McKnight	Stuart
Carlucci	Jenkins	Neal	Thomas
Childers, D.	Jenne	Peterson	Tobiassen
Dunn	Jennings	Poole	Trask
Frank	Johnston	Rehm	Vogt
Gersten	Langley	Renick	Ware
Gordon	Lewis	Scott	

Excused: Senator Margolis at 2:00 p.m. and Senator Kirkpatrick

Prayer by Joe Brown, Secretary of the Senate:

Here we are again Lord, asking for your blessings on this Senate and the people of our state. This time we would also like to offer thanks for the many blessings we have already received. Amen.

## EXECUTIVE BUSINESS

June 21, 1982

*The Honorable W. D. Childers*  
President, The Florida Senate

RE: Suspension of:

David L. Reid  
Property Appraiser  
Palm Beach County, FL

Dear Mr. President:

The Committee on Executive Business submits this final report on the matter of the suspension of David L. Reid.

By Executive Order Number 81-65, filed with the Secretary of State on June 15, 1981, His Excellency D. Robert Graham, as Governor, suspended David L. Reid from the office of Property Appraiser of Palm Beach County, Florida. A second amended Executive Order Number 81-100 was issued on August 26, 1981. A final amended Executive Order Number 82-35 was issued on April 6, 1982. The current term of David L. Reid as Property Appraiser runs from January, 1981 until January, 1985.

Executive Order Number 81-65 charged that David L. Reid, while holding the aforesaid office, committed criminal violations of the laws of Florida, viz: the offenses of bribery, and unlawful compensation in violation of Section 838, Florida Statutes.

The second amended Executive Order 81-100 with indictment attached charged that David L. Reid, while holding the aforesaid office, committed criminal violations of the laws of Florida, viz: offenses of bribery, felonies of the third degree (838.015, F.S.); offenses of unlawful compensation, felonies of the third degree (838.016, F.S.); an offense of official misconduct, a felony of the third degree (839.25, F.S.) and a misdemeanor of the first degree (777.04, F.S.). The order further charged that on August 13, 1981, the Palm Beach County Grand Jury returned an indictment filed in the Circuit Court of the Fifteenth Judicial Circuit, charging David L. Reid with six counts of violations of Section 838.015, Florida Statutes, and seven counts of violations of Section 838.016, Florida Statutes. These

crimes constitute grounds for suspension under Section 7 of Article IV, Florida Constitution, 1968 revised.

Criminal prosecution of David L. Reid was commenced in the Circuit Court of the Fifteenth Judicial Circuit in Palm Beach County, where David L. Reid was tried by a jury trial on the above counts. The jury returned a verdict of guilty on two counts of bribery, two counts of unlawful compensation, one count of attempted unlawful compensation, and not guilty on the other charges. On March 5, 1982, Circuit Court Judge Murray Goldman ordered the following:

1. Count I, Bribery—adjudicated guilty and sentenced to five (5) years in state prison;
2. Count II, Unlawful Compensation—adjudicated guilty with imposition of a fine of \$5,000.00;
3. Count V, Bribery—adjudicated guilty with imposition of a fine of \$5,000.00 and placed on five (5) years' probation to run concurrently with the sentence of Count I.
4. Count VI, Unlawful Compensation—adjudicated guilty with the imposition of a fine of \$5,000.00 and placed on five (5) years' probation to run consecutive to the sentence of Count V. Special attendant conditions of probation prohibit holding any public office for such period, and completion of 500 hours of community service.
5. Count XIII, Attempted Unlawful Compensation—adjudicated guilty with the imposition of a fine of \$1,000.00.

On March 17, 1982, David L. Reid filed an appeal of the above case in the Fourth District Court of Appeals.

The final amended Executive Order 82-35, with two indictments, charged that David L. Reid, while holding the aforesaid office, committed criminal violations of the laws of Florida, viz: twenty offenses of grand theft, felonies of the second and third degree (812.014, F.S.), and one offense of official misconduct, a felony of the third degree (839.25, F.S.). The suspension order further charged that on November 4, 1981, the Palm Beach County Grand Jury returned two indictments filed in the Circuit Court of the Fifteenth Judicial Circuit, charging David L. Reid with twenty counts of violations of Section 812-014, Florida Statutes, and one count of violation of Section 839.25, Florida Statutes. These crimes constitute grounds for suspension under Section 7 of Article IV, Florida Constitution, 1968 Revision.

Criminal prosecution of David L. Reid was commenced in the Circuit Court of the Fifteenth Judicial Circuit in Palm Beach County, where David L. Reid had a non-jury trial on the above counts in two consolidated cases. Under the first indictment, David L. Reid pleaded guilty to Count VII, grand theft, and nolo contendere to the eleven other counts. Under the second indictment, David L. Reid pleaded nolo contendere to all nine counts. On April 2, 1982, under the first indictment, David L. Reid was adjudicated guilty of Counts VII and VIII, grand theft, and all other counts were waived. Under the second indictment, David L. Reid was adjudicated guilty of Count I, grand theft, and all other counts were waived. David L. Reid was sentenced to five years of reporting probation for each count, all sentences to run concurrently.

The Senate assumed jurisdiction of this matter on June 16, 1981, and this matter was referred to the Senate Committee on Executive Business on June 26, 1981. Proceedings by this Committee were stayed, pursuant to Senate Rule 12.7(b), during the pendency of criminal prosecution in the trial court. With

the adjudication of guilt on three felony counts, pursuant to Section 4 of Article VI, Florida Constitution, 1968 Revision, David L. Reid became legally ineligible to hold public office.

Based upon the investigation of this Committee, it is the finding of this Committee that David L. Reid was suspended from the office of Property Appraiser, Palm Beach County, Florida on June 16, 1981; that David L. Reid was adjudicated guilty of three counts of grand theft in violation of Section 812.014, Florida Statutes; that such acts constitute misfeasance, malfeasance and felonies under the laws of Florida; that David L. Reid has not contested his suspension on his own behalf, nor shown any cause why the Senate should take any further action in this matter.

In view of the foregoing, it is the recommendation of this Committee that David L. Reid be removed from the office of Property Appraiser of Palm Beach County, Florida, effective June 15, 1981.

Respectfully submitted,

*Richard R. Renick*, Chairman  
*Patrick K. Neal*, Vice Chairman  
*Tom Lewis*

*Dan Jenkins*  
*Sherrill Skinner*

On motion by Senator Renick, the foregoing report on the Executive Order of Suspension of David L. Reid from the office of Property Appraiser, Palm Beach County, Florida, was accepted and adopted and the Senate removed David L. Reid from said office effective June 15, 1981. The vote was:

Yeas—33

Mr. President	Hair	Margolis	Stevens
Barron	Henderson	Maxwell	Stuart
Beard	Hill	McClain	Thomas
Carlucci	Jenkins	Poole	Tobiassen
Childers, D.	Jenne	Rehm	Trask
Dunn	Jennings	Renick	Vogt
Frank	Johnston	Scott	
Gordon	Langley	Skinner	
Grizzle	Lewis	Steinberg	

Nays—None

Vote after roll call:

Yea—Gersten

On motion by Senator Dunn, the following bills were established as a special order calendar for Tuesday, June 22: SB 17-H, HB 29-H, HJR 31-H, HB 20-H, HB 36-H, HB 38-H, SB 5-H, SB 6-H, SB 30-H, SB 34-H, SB 33-H and SB 35-H.

## SPECIAL ORDER

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed with amendments—

**SB 17-H**—A bill to be entitled An act relating to the judiciary; providing for the election of the two new circuit judges for the Seventeenth Judicial Circuit and for the two new county court judges for Broward County and the county judge for Volusia County; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 1, line 14 following the word "County" INSERT: and the additional county court judge authorized for St. Johns County

**Amendment 2**—On page 1 in the title, line 5 following the words "Broward County" INSERT: and the additional county court judge authorized for St. Johns County

On motion by Senator Scott, the Senate concurred in the House amendments.

SB 17-H passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Henderson	McClain	Stevens
Beard	Jenkins	McKnight	Stuart
Carlucci	Jenne	Peterson	Thomas
Childers, D.	Jennings	Poole	Tobiassen
Dunn	Johnston	Rehm	Trask
Frank	Langley	Renick	Vogt
Gordon	Lewis	Scott	Ware
Grizzle	Margolis	Skinner	
Hair	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Anderson, Gersten, Hill, Neal

The bill was ordered engrossed and then enrolled.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 29-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Kutun and others—

**HB 29-H**—A bill to be entitled An act relating to tax on sales, use and other transactions; amending s. 212.057(1), (2), (3), (4), and (7), Florida Statutes, and adding subsections (8) and (9) thereto, relating to a discretionary additional tax for sports, arts and recreation centers; specifying applicability to purchases made in jurisdictions not levying such a tax under certain circumstances; providing method of taxing certain services billed on a monthly cycle; providing for refund of additional tax paid by certain contractors; providing penalties; specifying that use of the proceeds of the tax includes interest accrued thereto; specifying additional centers for which proceeds may be used; revising provisions relating to the referendum at which the tax must be approved; requiring a ballot statement as part of the tax ordinance and modifying the ballot question; revising the date by which a county may declare its intent not to levy the tax; authorizing levy of the tax by the most populous municipality if levy by the county is not approved; providing for payment of costs of administration; providing for reports on expenses by the Department of Revenue; providing for disposition of tax collected after a specified date; requiring governing authorities levying the tax to notify the department; providing applicable brackets for imposition of the tax; providing severability; providing an effective date.

—was read the first time by title and referred to the Committee on Finance, Taxation and Claims.

On motions by Senator Gordon, by two-thirds vote HB 29-H was withdrawn from the Committee on Finance, Taxation and Claims and taken up instanter.

On motion by Senator Gordon, by two-thirds vote HB 29-H was read the second time by title.

Senator Vogt moved the following amendment which was adopted:

**Amendment 1**—On page 2, line 18, strike the period (.) and insert: , except that the sales amount above \$1,000 of any one transaction shall not be taxable.

The vote was:

Yeas—20

Mr. President	Henderson	Maxwell	Stevens
Beard	Jenkins	Poole	Thomas
Carlucci	Jennings	Rehm	Tobiassen
Grizzle	Langley	Renick	Trask
Hair	Lewis	Skinner	Vogt

Nays—14

Childers, D.	Jenne	McKnight	Stuart
Frank	Johnston	Peterson	Ware
Gersten	Margolis	Scott	
Gordon	McClain	Steinberg	

Vote after roll call:

Yea—Neal  
Yea to Nay—Lewis

Senator Vogt moved the following amendment which was adopted:

Amendment 2—On page 2, line 14, strike "December 31, 1983" and insert: March 31, 1984

Senator Rehm moved the following amendment which failed:

Amendment 3—On page 5, line 15, strike period (.) after word "thereto" and insert: or for the acquisition of endangered lands or beaches and parklands for recreational purposes.

Senator Johnston moved the following amendments which were adopted:

Amendment 4—On page 4, lines 9 and 10, strike "prior to the effective date of any tax authorized by this section" and insert: prior to approval of the additional tax at the referendum held pursuant to subsection 3

Amendment 5—On page 3, line 12, insert after "property": taxable pursuant to this chapter

Amendment 6—On page 3, line 15, strike "tangible personal property" and insert: such tangible personal property taxable pursuant to this chapter

Amendment 7—On page 2, lines 12-18, strike all of said lines, and insert:

(1)(a)1. Subject to the provisions of this section, the governing authority in each county is authorized to levy, for the period January 1, 1983, through December 31, 1983, or any portion thereof, a discretionary additional 1 percent tax on all transactions occurring in the county which are subject to the state tax imposed on sales, use, rentals, admissions and other transactions as provided in this chapter.

2. Subject to the provisions of this section, the governing authority in each county, at the option of the county, and instead of subparagraph 1. is authorized to levy, for the period January 1, 1984, through December 31, 1984, or any portion thereof, a discretionary additional 1 percent tax on all transactions occurring in the county which are subject to the state tax imposed on sales, use, rentals, admissions and other transactions as provided in this Chapter. Any county which elects to levy the tax as set forth in this subparagraph shall proceed pursuant to the provisions of this section, provided that all appropriate dates as set forth in this section shall be advanced by one year.

Senator Vogt moved the following amendments which were adopted:

Amendment 8—On page 1, line 7, insert: exempting the sales amount above \$1,000 for any single transaction;

Amendment 9—In title on page 1, line 7, insert: extending the tax for a period of 3 months;

On motion by Senator Gordon, further consideration of HB 29-H was deferred.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of the membership of the House HJR 31-H and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Lehtinen and others—

HJR 31-H—A joint resolution proposing an amendment to Section 12, Article I of the State Constitution, relating to searches and seizures, to provide a rule of construction and to limit the exclusion of evidence.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 12 of Article I of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 1982:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 12. Searches and seizures.—The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, and against the unreasonable interception of private communications by any means, shall not be violated. No warrant shall be issued except upon probable cause, supported by affidavit, particularly describing the place or places to be searched, the person or persons, thing or things to be seized, the communication to be intercepted, and the nature of evidence to be obtained. *This right shall be construed in conformity with the 4th Amendment to the United States Constitution, as interpreted by the United States Supreme Court.* Articles or information obtained in violation of this right shall not be admissible in evidence if such articles or information would be inadmissible under decisions of the United States Supreme Court construing the 4th Amendment to the United States Constitution.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE I, SECTION 12

SEARCHES AND SEIZURES.—Proposing an amendment to the State Constitution to provide that the right to be free from unreasonable searches and seizures shall be construed in conformity with the 4th Amendment to the United States Constitution and to provide that illegally seized articles or information are inadmissible if decisions of the United States Supreme Court make such evidence inadmissible.

—was read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Jenne, by two-thirds vote HJR 31-H was withdrawn from the Committee on Rules and Calendar and taken up instanter.

On motions by Senator Jenne, by two-thirds vote HJR 31-H was read the second time by title and by two-thirds vote was read the third time in full, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Grizzle	Maxwell	Skinner
Barron	Hill	McClain	Steinberg
Beard	Jenne	McKnight	Stevens
Carlucci	Jennings	Neal	Thomas
Childers, D.	Johnston	Peterson	Tobiassen
Dunn	Langlely	Poole	Trask
Frank	Lewis	Rehm	Vogt
Gordon	Margolis	Scott	Ware

Nays—None

Vote after roll call:

Yea—Anderson, Hair, Jenkins, Stuart

Consideration of HB 20-H was deferred.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed HB 36-H and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Ward and Mills—

HB 36-H—A bill to be entitled An act relating to corrections; authorizing the Board of Trustees of the Internal Improvement Trust Fund to purchase federal surplus land as sites for correctional facilities; directing the Auditor General to conduct certain performance audits; providing expiration and effective dates.

—was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

On motions by Senator Carlucci, by two-thirds vote HB 36-H was withdrawn from the Committee on Corrections, Probation and Parole and taken up instanter.

On motions by Senator Carlucci, by two-thirds vote HB 36-H was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Hair	McKnight	Stuart
Anderson	Hill	Neal	Thomas
Carlucci	Jenne	Poole	Tobiassen
Childers, D.	Jennings	Rehm	Trask
Dunn	Johnston	Renick	Vogt
Frank	Langley	Scott	Ware
Gersten	Lewis	Skinner	
Gordon	Maxwell	Steinberg	
Grizzle	McClain	Stevens	

Nays—None

Vote after roll call:

Yea—Beard, Jenkins, Peterson

Consideration of HB 38-H and SB 5-H was deferred.

On motions by Senator Carlucci, by two-thirds vote, SB 6-H was withdrawn from the Committee on Corrections, Probation and Parole and taken up instanter.

SB 6-H—A bill to be entitled An act relating to parole and probation; amending s. 947.16(1)(e), Florida Statutes, as amended; requiring parole examiners to interview youthful offenders; amending s. 19, ch. 82-171, Laws of Florida; providing for application of s. 947.16, Florida Statutes, relating to parole interviews; providing a retroactive effective date.

—was read the second time by title. On motion by Senator Carlucci, by two-thirds vote SB 6-H was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Hair	McClain	Stevens
Anderson	Hill	McKnight	Stuart
Beard	Jenne	Neal	Thomas
Carlucci	Jennings	Poole	Tobiassen
Childers, D.	Johnston	Rehm	Trask
Dunn	Langley	Renick	Vogt
Frank	Lewis	Scott	Ware
Gersten	Margolis	Skinner	
Grizzle	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Jenkins, Peterson

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed HB 38-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Appropriations—

HB 38-H—A bill to be entitled An act making supplemental appropriations to the 1982 General Appropriations Act; providing additional moneys for the annual period beginning July 1, 1982, and ending on June 30, 1983, to pay salaries and other expenses, capital outlay (buildings and improvements), and for other specified purposes of the Department of Corrections and the Florida Parole and Probation Commission which are in addition to those moneys appropriated in chapter 82-215, Laws of Florida; providing an effective date.

—was read the first time by title and referred to the Committee on Appropriations.

On motions by Senator McKnight, by two-thirds vote HB 38-H was withdrawn from the Committee on Appropriations and taken up instanter.

On motion by Senator McKnight, by two-thirds vote HB 38-H was read the second time by title.

Senator Gordon moved the following amendment:

Amendment 1—On page 1, line 15, strike everything after the enacting clause and insert:

Section 1. The moneys in the following Specific Appropriations are hereby appropriated from the General Revenue Fund as amounts to be used to pay the salaries and other expenditures of the named agency.

Specific Appropriations

Corrections, Department of  
Office of the Assistant Secretary for Programs

1	Salaries and Benefits	Positions	6
	From General Revenue Fund		73,642
2	Other Personal Services		
	From General Revenue Fund		22,428
3	Expenses		
	From General Revenue Fund		14,562
4	Operating Capital Outlay		
	From General Revenue Fund		7,478

Specific Appropriations

Office of Assistant Secretary for Operations  
Major Institutions

5	Salaries and Benefits	Positions	24
	From General Revenue Fund		316,779
6	Expenses		
	From General Revenue Fund		40,090
7	Operating Capital Outlay		
	From General Revenue Fund		33,198

Specific Appropriations

Lump Sum

8	Increased Inmate Population	Positions	75
	From General Revenue Fund		7,998,145

The appropriation for increased inmate population shall be held in reserve pending the department's submission of relevant workload data to the Executive Office of the Governor and legislative appropriations committees to fully support release of funds for purposes appropriated. The Department of Corrections and Executive Office of the Governor shall consult with the legislative appropriations committees in a manner described in s. 216.011(1)(gg), Florida Statutes, prior to the release of such funds. Further, it is provided that the funds in specific appropriation 8 may be used by the department to contract with private nonprofit organizations to house inmates at a rate of reimbursement not to exceed the appropriated per diem for major institutions.

Specific Appropriations

Probation and Parole Services			
9	Salaries and Benefits	Positions	367
	From General Revenue Fund		3,262,442
10	Expenses		
	From General Revenue Fund		549,678

11	Operating Capital Outlay		
	From General Revenue Fund	385,975	
Parole and Probation Commission			
12	Salaries and Benefits	Positions	7
	From General Revenue Fund	161,906	
13	Expenses		
	From General Revenue Fund	24,004	
14	Operating Capital Outlay		
	From General Revenue Fund	10,378	

repayment of debt incurred as the result of an increase in the sheriff's budget directed by the Administration Commission; providing an effective date.

—as amended passed June 21.

On motion by Senator Anderson, the Senate reconsidered the vote by which SB 15-H was read the third time.

On motion by Senator Anderson, the Senate reconsidered the vote by which Amendment 1 was adopted.

Senator Ware moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 1, line 16, insert:

Section 2. Subsection (2) of section 196.1975, Florida Statutes, as amended by chapter 82-133, Laws of Florida, is amended to read:

196.1975 Additional provisions for exempting property used by homes for the aged.—In addition to criteria for granting exemptions for charitable use of property set forth in other sections of this chapter, homes for the aged shall be exempt to the extent that they meet the following criteria:

(2) A facility shall not qualify as a "home for the aged" unless at least 75 percent of the occupants are over the age of 62 years or *permanently and totally disabled*. For homes for the aged which are exempt from paying income taxes to the United States as specified in subsection (1), licensing by the Department of Health and Rehabilitative Services shall be required for ad valorem tax exemption hereunder only if the home:

(a) Furnishes medical facilities or nursing services to its residents, or

(b) Qualifies as an adult congregate living facility under part II, chapter 400.

Amendment 1 as amended was adopted.

Senator Anderson moved the following amendment:

Amendment 2—On page 1, strike all of lines 1-25 and insert: A bill to be entitled An act relating to taxation; adding a new paragraph (e) to section (1) of section 200.085, Florida Statutes; providing an exception to the millage limitation contained in s. 200.085(1), Florida Statutes, for certain counties; providing an effective date.

Senator Ware moved the following amendment to Amendment 2 which was adopted:

Amendment 2A—In title on page 1, line 5, after "counties;" insert: amending s. 196.1975(2), Florida Statutes, as amended, providing that certain facilities shall qualify as a "home for the aged" for the purposes of obtaining an exempt status under the ad valorem tax law if at least 75 percent of the occupants are over the age of 62 years or are permanently and totally disabled;

Amendment 2 as amended was adopted.

On motion by Senator Anderson, by two-thirds vote SB 15-H as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Grizzle	Margolis	Skinner
Anderson	Hair	Maxwell	Steinberg
Barron	Henderson	McClain	Stevens
Beard	Hill	McKnight	Stuart
Carlucci	Jenkins	Neal	Thomas
Childers, D.	Jenne	Peterson	Tobiassen
Dunn	Jennings	Poole	Trask
Frank	Johnston	Rehm	Ware
Gersten	Langlely	Renick	
Gordon	Lewis	Scott	

Nays—None

Section 2. The moneys in the following specific appropriations are appropriated from the named funds for the 1982-1983 fiscal year to the Department of General Services for fixed capital outlay for the following agencies. The sums provided herein are the maximum sums appropriated; however, where an appropriation is for a named project, and where it is found to be in excess of that needed to fully complete that project, the excess may be transferred, with the approval of the administration commission, to another project named herein in the same fund and within the same department where a deficiency is found to exist.

The responsibility for maintaining the appropriate accounting records may be delegated by the Department of General Services to the named agencies herein for all capital outlay appropriations, including those certified forward.

For purposes of improved contract administration, the executive office of the Governor may authorize consolidation of two or more of the following specific appropriations for an agency, provided the original scope and purpose of each project is not significantly changed.

Specific Appropriations

Corrections, Department of			
1	Fixed Capital Outlay		
	Hendry Correctional Institution—312 beds		
	From General Revenue Fund	6,275,000	
2	Fixed Capital Outlay		
	Expansion of Three Existing Community Correctional Centers—72 beds		
	From General Revenue Fund	1,203,700	
3	Fixed Capital Outlay		
	Conversion of East Palatka Road Prison to Putnam Correctional Institution—Phase I—112 beds		
	From General Revenue Fund	2,500,000	

Section 3. This act shall take effect July 1, 1982, or upon becoming a law, whichever occurs later; however, if this act becomes law after July 1, 1982, then it shall operate retroactively to July 1, 1982.

Senator Margolis moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 4, line 25, insert a new section and renumber subsequent sections.

Section 4. The moneys in the following item are hereby appropriated from the General Revenue Fund and may be used to pay for specific expenditures of the named agency.

Commerce, Department of	
Special Categories	
Promotion of Business Opportunities in Depressed Urban Areas	
From General Revenue Fund	\$50,000

The funds in this item may only be expended if matched on a two to one basis by contributions from the private sector.

Further consideration of HB 38-H was deferred.

Senator Stuart presiding

The President presiding

On motion by Senator Anderson, the Senate reconsidered the vote by which—

SB 15-H—A bill to be entitled An act for the relief of Monroe County; providing an appropriation to said county to allow

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended House Bills 58-H and 61-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Ward—

**HB 58-H**—A bill to be entitled An act relating to the Parole and Probation Commission; amending s. 947.04(1), Florida Statutes; providing for the appointment of consenting retired commissioners to the Parole and Probation Commission by the Governor and Cabinet; providing an effective date.

—was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

By Representative Gustafson—

**HB 61-H**—A bill to be entitled An act relating to medical malpractice; amending s. 627.351(4), Florida Statutes, as amended; requiring the medical malpractice joint underwriting association to offer coverage for Patient's Compensation Fund deficit assessments; amending s. 768.54, Florida Statutes, as amended; providing that liability of the fund is not unlimited; providing for election of limits of liability; providing for annual, semi-annual, and quarterly membership fees; correcting cross-references; creating an advisory council; providing an appropriation; repealing s. 627.351(4)(d)5., Florida Statutes, relating to coverage for Patient's Compensation Fund deficit assessments; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

On motions by Senator Hair, by two-thirds vote HB 61-H was withdrawn from the Committee on Commerce and taken up instanter.

On motions by Senator Hair, by two-thirds vote HB 61-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Hair	Maxwell	Steinberg
Anderson	Henderson	McClain	Stevens
Barron	Hill	McKnight	Stuart
Beard	Jenkins	Neal	Thomas
Childers, D.	Jenne	Peterson	Tobiasen
Dunn	Jennings	Poole	Trask
Frank	Johnston	Rehm	Vogt
Gersten	Langley	Renick	Ware
Gordon	Lewis	Scott	
Grizzle	Margolis	Skinner	

Nays—None

Vote after roll call:

Yea—Carlucci

SB 30-H, a companion measure, was laid on the table.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed HB 20-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Haben and others—

**HB 20-H**—A bill to be entitled An act relating to witnesses; amending s. 914.04, Florida Statutes; eliminating provision for transactional immunity; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

On motions by Senator Jenne, by two-thirds vote HB 20-H was withdrawn from the Committee on Judiciary-Criminal and taken up instanter.

On motion by Senator Jenne, by two-thirds vote HB 20-H was read the second time by title.

Senators Barron and Anderson offered the following amendment which was moved by Senator Barron:

**Amendment 1**—On page 1, after line 28, insert a new Section 2 to read:

Section 2. (1) Notwithstanding any provision to the contrary, if a person who is an object of a grand jury inquiry or who has otherwise come to the knowledge of a grand jury for its investigation is called before the grand jury to testify, then prior to the taking of any testimony from that person, the state attorney or his assistant shall in writing inform the person that (1) he is under investigation by or an object of a grand jury inquiry, and (2) he has the right, which right is hereby given, to the assistance of legal counsel in the grand jury room at all times during the person's appearance before the grand jury. In the event that the state attorney or his assistant fail to so inform the person being investigated and the person in response to a lawful subpoena testifies before the grand jury, then that person shall not be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may testify or produce evidence, documentary or otherwise, nor shall any testimony so given or produced be received or used against him in any criminal investigation or proceeding, except in a prosecution of the witness for perjury committed before the grand jury.

(2) Unless pursuant to court order, it is unlawful for any person knowingly to publish, broadcast, disclose, divulge, or communicate to any other person, or knowingly to cause or permit to be published, broadcast, disclosed, divulged, or communicated to any other person outside the grand jury room, any of the proceedings or identity of persons referred to or being investigated by the grand jury. Any person who violates the provisions of this subsection is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, and s. 775.084, Florida Statutes.

(Renumber subsequent section.)

Further consideration of HB 20-H was deferred.

On motion by Senator Barron, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senator Barron—

**SB 36-H**—A bill to be entitled An act relating to the State University System; transferring the Bay County branch campus of the University of West Florida to Florida State University; providing an effective date.

—which was read the first time by title and referred to the Committee on Education.

On motions by Senator Barron, by two-thirds vote SB 36-H was withdrawn from the Committee on Education and taken up instanter.

On motions by Senator Barron, by two-thirds vote SB 36-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Grizzle	Margolis	Skinner
Anderson	Hair	McClain	Steinberg
Barron	Henderson	McKnight	Stevens
Beard	Hill	Neal	Thomas
Childers, D.	Jenne	Peterson	Tobiasen
Frank	Jennings	Poole	Trask
Gersten	Langley	Renick	Vogt
Gordon	Lewis	Scott	Ware

Nays—None

Vote after roll call:

Yea—Carlucci, Jenkins

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed with amendments—

SB 19-H—A bill to be entitled An act relating to health care; reviving and readopting, notwithstanding the Regulatory Sunset Act, the Florida Emergency and Nonemergency Medical Services Act; amending s. 401.21, Florida Statutes; providing a short title; creating s. 401.211, Florida Statutes; providing legislative intent; amending s. 401.23, Florida Statutes; providing definitions; creating s. 401.235, Florida Statutes; authorizing the appointment of an advisory council; providing for membership, expenses, and terms; amending s. 401.24, Florida Statutes; providing for a comprehensive state plan; amending s. 401.25, Florida Statutes; providing for basic and advanced life support service licenses; authorizing self-insurance; deleting provisions relating to temporary licenses; requiring a medical director; creating s. 401.252, Florida Statutes; providing for inter-hospital transfer; amending s. 401.26, Florida Statutes; providing for vehicle permits; deleting provisions relating to temporary permits; amending s. 401.27, Florida Statutes; providing for certification of emergency medical technicians and paramedics; prohibiting an uncertified person from holding himself out as an emergency medical technician or paramedic; providing penalties; creating s. 401.281, Florida Statutes; providing standards for ambulance drivers; amending s. 401.30, Florida Statutes; providing for maintenance of records; amending s. 401.31, Florida Statutes; providing for inspections; amending s. 401.33, Florida Statutes; providing exemptions; amending s. 401.34, Florida Statutes; providing for establishment, collection, and disposition of fees; providing exemptions; amending s. 401.35, Florida Statutes; providing for adoption of rules; amending s. 401.38, Florida Statutes; providing for participation in federal programs; amending s. 401.41, Florida Statutes; specifying offenses and penalties; providing enhanced penalties for assault or battery on an ambulance driver, emergency medical technician, or paramedic; creating s. 401.411, Florida Statutes; providing for disciplinary actions; creating s. 401.413, Florida Statutes; providing for administrative fines; amending s. 401.43, Florida Statutes; providing penalties for fraudulently obtaining service; amending s. 401.44, Florida Statutes; providing penalties for turning in a false alarm; amending s. 401.45, Florida Statutes; prohibiting denial of emergency services in specified situations; allowing to stand repealed under the Regulatory Sunset Act ss. 401.46, 401.47, Florida Statutes, relating to advanced life support services and paramedics; requiring a report to the Governor and Legislature; providing for legislative review; amending section 39 of chapter 82-225, Laws of Florida; providing for legislative review of ss. 500.417, 500.419, 500.431 and 500.432, Florida Statutes; repealing s. 395.010(3), Florida Statutes; relating to access to proceeding and records of hospitals and ambulatory surgical centers; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 3, strike everything after the enacting clause and insert:

Section 1. Subsection (3) of section 395.010, Florida Statutes, created by chapter 82-182, Laws of Florida, is amended to read:

395.010 Licensed facilities; disciplinary powers.—

(3) The proceedings and records of committees and governing bodies which relate solely to actions taken in carrying out the provisions of this section shall not under any circumstances be subject to inspection under the provisions of chapter 119; nor shall meetings held pursuant to achieving the objectives of such committees and governing bodies be open to the public under the provisions of chapter 286.

Section 2. Section 401.21, Florida Statutes, is amended to read:

401.21 Short title.—Sections 401.21-401.44 401.47 shall be known and may be cited as the "Florida Emergency and Non-emergency Medical Services Act."

Section 3. Section 401.211, Florida Statutes, is created to read:

401.211 Legislative intent.—Because emergency and non-emergency medical transportation services represent a constructive and essential investment in the future of the state, it is the intent of the Legislature to provide for emergency and nonemergency medical transportation services that are essential to the health and well-being of all citizens of the state. The purpose of this act is to protect and enhance the public health, welfare, and safety through the provision and oversight of such services in a positive manner.

Section 4. Section 401.23, Florida Statutes, is amended to read:

401.23 Definitions.—As used in this act, unless the context clearly indicates otherwise:

(1)(12) "Advanced life support" means treatment of life-threatening medical emergencies through the use of techniques such as endotracheal intubation, the administration of drugs, intravenous fluids, telemetry, cardiac monitoring, and cardiac defibrillation, by a qualified person, pursuant to rules of the department.

(2)(14) "Advanced life support service ~~life support services/ fire rescue~~" means any emergency medical transport or non-transport service ~~fire department~~ which uses ~~provides~~ advanced life support techniques as defined in this act ~~services, but which does not routinely transport those persons receiving such services.~~

(3) "Advanced life support service/fire rescue" means any fire department which provides advanced life support services, but which does not routinely transport those persons receiving such services.

(4) "Advanced life support service license" means any authorization to provide advanced life support services ~~ambulance or nonemergency medical transportation services~~ issued pursuant to the provisions of this act.

(5)(1) "Ambulance" or "emergency medical services vehicle" means any private or publicly owned land, air, or water vehicle that is designed, constructed, reconstructed, maintained, equipped, or operated for, and is used for, or intended to be used for, air, land, or water transportation of sick or injured persons who are in need of emergency medical attention during transport and who must be transported on a stretcher.

(6)(2) "Ambulance driver" means any person who meets the requirements of s. 401.281 ~~possesses a valid emergency ambulance driver's certificate issued pursuant to the provisions of this act.~~

(7) "Basic life support" means treatment of life-threatening medical emergencies by a qualified person through the use of techniques such as patient assessment, basic cardiopulmonary resuscitation, splinting, obstetrical assistance, bandaging, administration of oxygen, application of medical antishock trousers, and other techniques described in the Emergency Medical Technician Basic Training Course Curriculum of the United States Department of Transportation. "Basic life support" also includes esophageal intubation if the emergency medical technician performing the intubation has been trained in the skill of esophageal intubation and is performing the intubation under the medical direction of a licensed physician. The monitoring and maintenance of an intravenous fluid may be performed by a certified emergency medical technician if such person is trained in these skills and performs them under the direction of a licensed physician.

(8) "Basic life support service license" means the authorization to provide basic life support pursuant to the provisions of this act.

(9)(6) "Certification Certificate" means any authorization issued pursuant to the provisions of this act to a person to act as an emergency medical technician, ~~an emergency ambulance driver, or a paramedic.~~

(10)(7) "Department" means the Department of Health and Rehabilitative Services.

(11)(9) "Emergency medical technician (EMT)" means any person who is trained in basic life support and who is certified by the department to perform such procedures in emergency situations possesses a valid basic emergency medical technician's certificate issued pursuant to the provisions of this act.

(11) "Established standing orders" means written orders, developed and supervised by a licensed physician, outlining the steps to be followed for handling a particular medical situation or resolving a particular medical problem.

(12) "Interhospital transfer" means the ambulance transportation of a patient between two facilities licensed under chapter 395 or chapter 400, pursuant to this act.

(13)(10) "Medical direction Responsible supervision" means direct physician supervision through two-way voice communication or, when such voice communication is unavailable, through established standing orders, pursuant to rules of the department developed and supervised by a licensed physician.

(14) "Medical director" means a licensed physician, employed or contracted by an advanced life support service, who provides medical supervision, not to include administrative and managerial functions, for daily operations and training pursuant to the provisions of this act.

(15) "Nonemergency medical transportation service vehicle" means any privately or publicly owned service employing a land, air, or water vehicle that is designed, constructed, reconstructed, maintained, equipped, or operated for, and is used for, or intended to be used for, air, land, or water transportation of persons who are confined to wheelchairs or stretchers and whose condition is such that these persons do not need, nor are likely to need, immediate medical attention during transport with non-emergency conditions requiring specialized transportation, including a vehicle operated by a wheelchair ambulance service company.

(16)(9) "Paramedic" means a person certified by the department to perform basic and advanced life support, pursuant to the provisions of this act administer advanced life support techniques, based on accepted national standards.

(17)(5) "Permit" means any authorization issued pursuant to the provisions of this act for a vehicle to be operated as a transport or a nontransport vehicle providing basic or advanced life support, an ambulance or as a nonemergency medical transportation vehicle.

(18)(13) "Physician" means a practitioner physician licensed under the provisions of chapter 458 or chapter 459.

(19) "Registered nurse" means a practitioner licensed to practice professional nursing pursuant to the provisions of chapter 464.

(20)(9) "Secretary" means the Secretary of Health and Rehabilitative Services.

Section 5. Section 401.24, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 401.24, F.S., for present text.)

401.24 Emergency and nonemergency medical services state plan.—The department is responsible for the improvement and regulation of basic and advanced life support programs and nonemergency medical transportation services. In addition to the duties otherwise imposed by this act, the department shall develop no later than October 1, 1983, and periodically revise a comprehensive state plan for basic and advanced life support programs and nonemergency medical transportation services. The state plan shall include, but need not be limited to:

(1) Emergency and nonemergency medical systems planning, including prehospital and hospital phases of patient care, and unification of such services as a total delivery system to include air, water, and land services;

(2) Requirements for the operation and coordination of ambulances; nonemergency medical transportation vehicles; advanced life support vehicles, equipment, and supplies; communications; personnel; training; and other medical care components; and

(3) The definition of areas of responsibility for regulation and planning of ongoing and developing delivery service requirements.

Section 6. Section 401.25, Florida Statutes, is amended to read:

401.25 Licensure as a basic life support or an advanced life support service Emergency or nonemergency medical transportation service license.—

(Substantial rewording of subsection (1). See s. 401.25(1) and (2), F.S., for present text.)

(1) Every person, firm, corporation, association, or governmental entity owning or acting as agent for the owner of any business or service which furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes to engage in the business or service of transporting persons who are sick, injured, handicapped, or otherwise incapacitated on the streets, highways, waterways, or airways of this state shall be licensed as a basic life support service or an advanced life support service, whichever is applicable, prior to offering such services to the public. The application for such license shall be submitted to the department on forms provided for this purpose. The application shall provide documentation that the licensee meets the appropriate requirements for a basic life support service or an advanced life support service, whichever is applicable, as specified by rule of the department.

(2)(3) The department shall issue a license for operation within 60 days of the filing of the application to any applicant complying with the following requirements:

(a) The applicant has paid the fees required by s. 401.34.

(b) The ambulances, equipment, vehicles, personnel, communications systems, staffing patterns drivers, attendants, and services meet the requirements of this act, including appropriate rules for either a basic life support service or an advanced life support service, whichever is applicable and regulations.

(c) The applicant has furnished evidence of adequate insurance coverage for claims arising out of injury or death of persons and damage to the property of others resulting from any cause for which the owner of said business or service would be liable. The applicant shall provide insurance in such sums and under such terms as required by the department. In lieu of such insurance, the applicant may furnish a certificate of self-insurance evidencing that the applicant has established an adequate self-insurance plan to cover such risks and that the plan has been approved by the Department of Insurance.

(d) The applicant has obtained a certificate of public convenience and necessity from the governing body of county commission in each county in which the applicant will operate, except that those vehicles operated under nonemergency conditions by a wheelchair transportation service company shall be exempt from this requirement. In issuing the certificate of public convenience and necessity, the governing body of each county shall consider the recommendations of municipalities within its jurisdiction.

(3)(4) The department is authorized to suspend or revoke a license at any time if it determines that the licensee has failed to maintain compliance with the requirements prescribed for operating a basic or advanced life support an emergency or nonemergency medical transportation service.

(4)(5) Licenses issued in accordance with the provisions of this act shall automatically expire 2 years after be valid for a period of 1 year from the date of issuance.

(5)(6) The requirements for renewal of any license issued under the provisions of this act shall be the same as original licensure requirements current at the time of renewal for original licensure.

(7) The department shall issue temporary licenses to applicants presently providing emergency or nonemergency medical transportation service but not meeting required standards, valid for a period not to exceed 1 year, when it determines that there is no other such service available in an area and that the public interest, safety, and convenience will be served. As a condition for the issuance of a temporary license, the applicant must initiate appropriate steps to insure that the business or service meets the prescribed standards within 1 year from the date of issuance of the license.

(6)(8) The governing body of each county is authorized to adopt ordinances providing reasonable standards for certificates of public convenience and necessity for basic or advanced

life support emergency or nonemergency medical transportation services. In developing reasonable standards for certificates of public convenience and necessity, the governing body of each county shall consider the recommendations of municipalities within its jurisdiction.

(7) Any emergency medical services system employing or utilizing paramedics to perform advanced life support procedures shall employ, or contract with, a medical director who shall be a licensed physician; a corporation, association, or partnership composed of physicians; or physicians employed by any hospital which delivers in-hospital emergency medical services and which employs or contracts with physicians specifically for that purpose. Such a hospital, physician, corporation, association, or partnership shall designate one physician from that organization to be medical director, to supervise and to assume direct responsibility for the medical performance of the emergency medical technicians and paramedics operating for that emergency medical services system. Such responsibility shall include reporting to the Department of Health and Rehabilitative Services those emergency medical technicians or paramedics deemed, in the opinion of the medical director, to be incompetent in the performance of their duties. Such report of alleged incompetency shall include a statement of the specific acts of alleged incompetency. Within 7 days of receipt of such report, the department shall provide the emergency medical technician or paramedic a copy of the report of alleged incompetency. If the department determines that the report of alleged incompetency is insufficient for disciplinary action against the emergency medical technician or paramedic pursuant to s. 401.411, the report shall be expunged from the record of the emergency medical technician or paramedic. The medical director shall perform duties including advisement, consultation, training, counsel, and the oversight of services, but not including administrative and managerial functions.

Section 7. Section 401.252, Florida Statutes, is created to read:

**401.252 Interhospital transfer.**—A licensed basic or advanced life support ambulance service may conduct interhospital transfers in a permitted ambulance, using a registered nurse in place of an emergency medical technician or paramedic, if:

- (1) The registered nurse is currently certified in advanced cardiac life support;
- (2) The physician in charge has granted permission for such a transfer, has designated the level of service required for such transfer and has deemed the patient to be in such a condition appropriate to this type of ambulance staffing; and
- (3) The registered nurse operates within the scope of chapter 464.

Section 8. Section 401.255, Florida Statutes, is created to read:

**401.255 Licensure as a nonemergency medical transportation service.**—

(1) Every person, firm, corporation, association, or governmental entity owning or acting as agent for the owner of any business or service which furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes to engage in the business or service of primarily transporting persons who are confined to wheelchairs or stretchers and whose condition is such that these persons do not need, nor are likely to need, immediate medical attention during transport upon the streets, highways, waterways, or airways of this state shall be licensed by the department as a nonemergency medical transportation service, except where a county elects to regulate such services by enacting an ordinance which sets forth requirements meeting those specified herein. For purposes of this part, licensure as a nonemergency medical transportation service shall be deemed to include wheelchair and stretcher car service.

(2) Any person, firm, corporation, association, governmental entity, or other such organization seeking licensure as a nonemergency medical transportation service shall:

(a) Submit a completed application form to the department on forms prescribed thereby. The application shall include such information as may be specified by rule of the department.

(b) Submit the appropriate fee or fees, established as provided in s. 401.34.

(c) Provide documentation that vehicles and equipment are in good working order and meet requirements as specified by rule of the department.

(d) Provide proof of adequate insurance coverage for claims arising out of injury or death of persons and damage to the property of others resulting from any cause for which the owner of said business or service would be liable. Adequate insurance coverage shall be specified by rule of the department.

(e) Provide evidence that drivers are trained in the correct use of the special equipment required for wheelchair and stretcher transport as specified in s. 401.281.

(f) Provide evidence that nonemergency medical transportation vehicles are staffed by sufficient personnel to ensure safe loading and unloading of nonemergency patients.

(g) Provide proof that sanitation and maintenance standards, as specified by rule of the department, are met.

(h) Provide proof that all vehicles possess a valid vehicle permit as provided herein. To receive a valid vehicle permit, the applicant shall submit a completed application form for each vehicle for which a permit is desired, pay the appropriate fee as provided in s. 401.34 and meet standards for nonemergency medical transportation vehicles as set forth by rule of the department. The department shall issue a vehicle permit to each vehicle that has been inspected by the department and complies with standards established through rules of the department. The vehicle permit is valid for a period of 2 years from the time of issuance.

(3) The department shall issue a license for operation of a nonemergency medical transportation service within 60 days of the filing of the application to any applicant complying with the requirements specified herein. Such license is valid for a period of 2 years from the date of issuance.

(4) In order to renew a license or vehicle permit for non-emergency medical transportation services and vehicles, the applicant shall:

(a) Submit a renewal application to the department at least 30 days prior to the expiration of the license or permit.

(b) Submit the appropriate renewal fee as provided in s. 401.34.

(c) Provide documentation that current standards for issuance of a license or permit are met.

(5) Counties which elect to regulate nonemergency medical transportation services shall provide the department with a copy of the ordinance or a proposed ordinance, indicating the effective date or proposed effective date thereof.

Section 9. Section 401.26, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 401.26, F.S., for present text.)

**401.26 Vehicle permits for basic life support services, advanced life support services, and nonemergency medical transportation services.**—

(1) Every basic life support, advanced life support, and nonemergency medical transportation service licensed under the provisions of this act shall possess a valid permit for each transport and nontransport vehicle in use. Application for such permits shall be made upon forms prescribed by the department. The licensee shall provide documentation that each vehicle for which a permit is sought meets the appropriate requirements for a basic life support, advanced life support or non-emergency medical transportation service vehicle, whichever is applicable, as specified by rule of the department.

(2) To receive a valid vehicle permit, the applicant must submit a completed application form for each vehicle for which a permit is desired, pay the appropriate fees established as provided in s. 401.34, and provide documentation that each vehicle meets the following requirements established by rule of the department:

(a) Each vehicle shall possess essential medical supplies and equipment in good working order.

(b) Each vehicle shall meet appropriate standards for design and construction.

(c) Each vehicle shall possess an appropriate communication system.

(d) Each vehicle shall meet appropriate safety standards.

(e) Each vehicle shall meet sanitation and maintenance standards.

(f) Each vehicle shall be insured for an appropriate sum against injuries to or the death of any person arising out of any accident.

(3) The department is authorized to suspend or revoke a permit if it determines that the transport or nontransport vehicle or its equipment fails to meet the requirements specified in this act or in the rules of the department.

(4) Permits issued in accordance with the provisions of this section shall expire automatically 2 years after the date of issuance.

(5) In order to renew a vehicle permit issued pursuant to the provisions of the act, the applicant shall:

(a) Submit a renewal application to the department at least 30 days prior to the expiration of the license or permit.

(b) Submit the appropriate fee or fees, established as provided in s. 401.34.

(c) Provide documentation that current standards for issuance of a permit are met.

Section 10. Section 401.27, Florida Statutes, is amended to read:

*(Substantial rewording of section. See s. 401.27, F.S., for present text.)*

401.27 Personnel; standards and certification.—

(1) Each permitted ambulance not specifically exempted from the provisions of this act, when transporting a person who is sick, injured, wounded, incapacitated, or helpless, shall be occupied by at least two persons, one of whom shall be a certified emergency medical technician, certified paramedic, or licensed physician and one of whom shall be a driver who meets the requirements for ambulance drivers. This subsection does not apply to:

(a) Interhospital transfers governed by s. 401.252; or

(b) Nonemergency medical transportation services.

(2) The department shall establish by rule educational and training criteria and examinations for the certification and recertification of emergency medical technicians and paramedics. Such rules shall require, but need not be limited to:

(a) For emergency medical technicians, proficiency in the treatment of life-threatening medical emergencies through the use of such techniques as patient assessment, basic cardiopulmonary resuscitation, splinting, obstetrical assistance, bandaging, administration of oxygen, application of medical antishock trousers, and the performance of other necessary procedures for basic life support services.

(b) For paramedics, proficiency in providing cardiopulmonary resuscitation and defibrillation, cardiac monitoring, esophageal intubation, administration of drugs and intravenous fluids, and the performance of other necessary procedures for advanced life support services; however, advanced life support services shall be performed only under the responsible supervision of a licensed physician.

(3) Any person who desires to be certified or recertified as an emergency medical technician or paramedic shall apply to the department on forms provided by the department. The department shall determine whether the applicant meets the requirements specified in this section and in rules of the department and shall issue a certificate to any person who meets such requirements.

(4) An applicant for certification or recertification as an emergency medical technician or paramedic shall:

(a) Have completed an appropriate training course as follows:

1. For emergency medical technicians, an emergency medical technician training course equivalent to the most recent emergency medical technician basic training course of the United States Department of Transportation as approved by the department;

2. For paramedics, a paramedic program equivalent to the most recent paramedic course of the United States Department of Transportation as approved by the department;

(b) Certify under oath that he is not addicted to alcohol or any controlled substance;

(c) Certify under oath that he is free from any physical or mental defect or disease that might impair the applicant's ability to perform his duties;

(d) Have passed an examination developed or required by the department within 1 year of course completion. The department shall administer written examinations within 10 days of the course completion dates of approved training centers; and

(e) Hold either a valid American Heart Association cardiopulmonary resuscitation course card or an American Red Cross cardiopulmonary resuscitation course card.

(5)(a) The department shall establish by rule a procedure for triennial renewal certification of emergency medical technicians. Such rules shall require a United States Department of Transportation refresher training program of at least 30 hours as approved by the department and shall require at least 10 contact hours in topics related to emergency medical technician services every 3 years. The rules shall also provide that the refresher course requirement may be satisfied by passing a challenge examination.

(b) The department shall establish by rule a procedure for triennial renewal certification of paramedics. Such rules shall require candidates for renewal to have taken at least 45 hours of continuing education units during the 3-year period, to include certification in advanced cardiac life support. The rules shall provide that the continuing education requirement may be satisfied by passing a challenge examination.

(6) A registered nurse may be certified as a paramedic if the registered nurse is certified in this state as an emergency medical technician, has passed the required emergency medical technician curriculum, has successfully completed an advanced cardiac life support course, and has passed the examination for certification as a paramedic. Nurses so certified shall be recertified pursuant to this section.

(7) Emergency medical technician and paramedic certificates shall expire automatically 3 years from the date of issuance and may be renewed if the holder meets the qualifications for renewal as established by the department.

(8) The department may suspend or revoke a certificate at any time if it determines that the holder does not meet the applicable qualifications.

Section 11. Section 401.281, Florida Statutes, is created to read:

401.281 Ambulance drivers.—

(1) Each basic life support service licensee and advanced life support service licensee is responsible for assuring that its vehicles are driven only by trained, experienced, and otherwise qualified personnel. The licensee shall, at a minimum, document that each of its drivers:

(a) Is at least 18 years of age;

(b) Certifies under oath that he is not addicted to alcohol or any controlled substance;

(c) Certifies under oath that he is free from any physical or mental defect or disease that might impair his ability to drive an ambulance;

(d) Has not, within the past 3 years, been convicted of reckless driving, or driving under the influence of alcohol or controlled substances, and has not had a driver's license suspended under the point system provided for in chapter 322;

(e) Possesses a valid operator's license issued under chapter 322;

(f) Possesses, if applicable, for either fixed wing air ambulances or emergency medical helicopters, the appropriate commercial pilot's license for the category of aircraft being utilized, and for fixed wing aircraft, the appropriate instrument rating, and if applicable, the appropriate marine certificate;

(g) Is trained in the safe operation of emergency vehicles and has completed an emergency vehicle operator's course or the reasonable equivalent as approved by the department, provided that this paragraph shall apply only to a driver of a land vehicle;

(h) Possesses a valid American Red Cross Standard First Aid and Personal Safety Course Card or its equivalent; and

(i) Possesses a valid American Red Cross or American Heart Association Cardiopulmonary Resuscitation card.

(2) Each basic life support service licensee, advanced life support service licensee, and nonemergency medical transportation service licensee is responsible for enforcing the requirements of this section. The department shall require that non-emergency medical transportation services assure that all vehicle drivers are in compliance with paragraphs (a), (b), (c), (d), (e), (h), and (i) of subsection (1) and have successfully completed a defensive driving course approved by the department.

(3) The department shall periodically inspect basic life support services, advanced life support services, and nonemergency medical transportation services for verification of compliance with this section. Services that are unable to verify compliance are subject to disciplinary action as provided in this act.

(4) No later than January 1, 1983, the staff of the department shall submit to the secretary of the department recommendations for developing and implementing an ambulance driver training program for emergency services.

Section 12. Section 401.30, Florida Statutes, is amended to read:

401.30 Records.—

(1) All ambulance businesses or services licensed under the provisions of this act shall maintain accurate records of emergency calls, on forms that contain upon such forms as may be prescribed or provided by the Department of Health and Rehabilitative Services, and containing such information as may be required by the department. Such records shall be available for inspection by the department at any reasonable time, and copies thereof shall be furnished to the department upon request. The department shall give each licensee notice of what information such forms must contain.

(2) Each service licensed pursuant to the provisions of this act shall report to the department, within 30 days of occurrence, any accident involving its ambulances which results in personal injury or damage exceeding \$500.

(3) The department shall maintain a permanent record of implementation of this act, including statistical data on all inspections carried out pursuant to ss. 401.281 and 401.31, number of all services licensed, complaints received, department action on such complaints, and accidents as specified in subsection (2).

(4) Reports from service providers that cover statistical data shall be public records. The department shall protect the privacy of individuals in disseminating any such information.

Section 13. Section 401.31, Florida Statutes, is amended to read:

401.31 Inspection and examination.—

(1) In order to carry out the requirements of this act, the department of Health and Rehabilitative Services shall inspect each basic life support service, each advanced life support service, emergency and each nonemergency medical transportation service licensee, including ambulances, vehicles, equipment, personnel, records, premises, and operational procedures, at reasonable times and whenever such inspection is deemed necessary by the department, but in no event less frequently than two

times a year for emergency services and once a year for non-emergency services. The department shall conduct inspections without impeding patient care. The periodic inspection required by this section shall be in addition to other state or local motor vehicle safety inspections required for ambulances or other motor vehicles under general law or ordinance.

(2) The department shall, in the course of the inspections provided for in subsection (1), determine the continuing compliance of each business, service, ambulance, piece of vehicle equipment, emergency medical technician, paramedic, and driver with the requirements of this act, and the rules adopted promulgated by the department, and applicable vehicle safety requirements of chapter 316.

(3) The refusal of a licensee to allow an inspection is grounds for revocation of the licensee's license.

Section 14. Section 401.33, Florida Statutes, is amended to read:

401.33 Exemptions.—

(1) The following vehicles or ambulances are exempt from the provisions of this act:

(1)(a) A privately owned vehicle not ordinarily used in the business of transporting persons who are sick, injured, wounded, incapacitated, or helpless.

(2)(b) A vehicle rendering services as an ambulance in the event of a major catastrophe or emergency when ambulances with permits based in the locality of the catastrophe or emergency are incapacitated or insufficient in number to render the services needed.

(3)(c) Any ambulance based outside this state, except that any such ambulance receiving a person within this state for transport to a location within this state shall comply with the provisions of this act.

(4) Any ambulance owned and operated by the Federal Government.

(5) A vehicle under the direct supervision of a licensed physician used as an integral part of a private industrial safety, emergency, or disaster plan within a privately owned and controlled area, which vehicle may from time to time be used to transport persons in need of medical attention, but which is not available to the general public and which does not routinely transport patients.

(6) A fire department vehicle which is used as an integral part of a fire suppression response unit, which vehicle may from time to time be used to transport firefighters in need of medical attention; however, basic or advanced life support units shall not be deemed to be exempt under this section.

(7) Any organization or person that provides wheelchair transport services, if:

(a) The service is a public bus system.

(b) The service is a public or private school bus system whose major business is that of transporting school children to and from school or school-related activities.

(8) Notwithstanding any ordinances or rules adopted by a local government with respect to nonemergency medical transportation services or vehicles, any hospital utilizing its own vehicles in transporting, to or from a hospital or a medical facility, if the hospital does not charge a fee for this service, nonemergency patients whose medical condition is such that they are confined to a wheelchair or to a stretcher but who do not need, nor are likely to need, medical attention during transport.

(2) The provisions of chapter 70-280, Laws of Florida, shall not apply to public bus system vehicles.

Section 15. Section 401.34, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 401.34, F.S., for present text.)

## 401.34 Fees.—

(1) Each organization or person subject to this act shall pay to the department the following fees, which shall annually be set by the department by rule within the ranges specified herein:

(a) Nonemergency medical transportation service license: Not less than \$425, nor more than \$600, to be paid biennially.

(b) Basic life support service license: Not less than \$425, nor more than \$600, to be paid biennially.

(c) Advanced life support service license: Not less than \$850, nor more than \$1,250, to be paid biennially.

(d) Original or renewal vehicle permit for basic or advanced life support: Not less than \$10, nor more than \$20, to be paid biennially.

(e) Nonemergency medical transportation vehicle permit or renewal permit: Not less than \$10, nor more than \$20, to be paid biennially.

(f) Emergency medical technician certification examination: Not less than \$15, nor more than \$25.

(g) Emergency medical technician original certificate: Not less than \$20, nor more than \$30.

(h) Emergency medical technician renewal certificate: Not less than \$10, nor more than \$15, to be paid triennially.

(i) Paramedic certification examination: Not less than \$15, nor more than \$25.

(j) Paramedic original certificate: Not less than \$55, nor more than \$80.

(k) Paramedic renewal certificate: Not less than \$55, nor more than \$80, to be paid triennially.

(2) There is created in the State Treasury the Emergency Medical Services Trust Fund. Fees collected under this section shall be deposited to the credit of the Emergency Medical Services Trust Fund and shall be applied solely for salaries and expenses of the department incurred in implementing and enforcing this act.

(3) Until the department adopts rules establishing fees under subsection (1), the lower amount in each range shall apply.

(4) Fees established pursuant to subsection (1) shall be based on the actual costs incurred by the department in carrying out its licensure, certification, registration, and inspection responsibilities under this act, including costs of salaries, expenses, inspection equipment, supervision, and program administration.

(5) Neither the fire department of any county, municipality, or fire district nor any county or municipally operated emergency medical services provider shall be required to pay a fee for a service license or vehicle permit. Furthermore, the fee charged such a fire department, county, or municipality for a certificate or a certification examination for its employees shall be 50 percent of the fee set by the department for such certificate or certification examination.

(6) Any volunteer emergency medical service provider shall not be required to pay any of the fees set by the department for licensure, vehicle permits, and personnel certification.

Section 16. Section 401.35, Florida Statutes, is amended to read:

*(Substantial rewording of section. See s. 401.35, F.S., for present text.)*

401.35 Rules.—In consultation with appropriate representatives of emergency medical teams employed by public agencies and nonemergency medical transportation services and representatives of the general public and the elderly, to include, but not be limited to, statewide provider organizations, state governmental agencies, physician organizations, fire chiefs, and fire rescue providers, the department shall adopt rules necessary to carry out the purposes of this act.

(1) The rules shall provide at least minimum standards governing:

(a) Sanitation, safety, and maintenance of basic life support, advanced life support, and nonemergency medical transportation vehicles, respectively.

(b) Emergency medical technician, paramedic, and driver training and qualifications.

(c) Ambulance and vehicle equipment and supplies at least as comprehensive as those published in the most current edition of the American College of Surgeons, Committee on Trauma, list of essential equipment for ambulances.

(d) Ambulance or vehicle design and construction at least equal to those most currently recommended by the United States General Services Administration.

(e) Staffing of basic life support, advanced life support, and nonemergency medical transportation vehicles.

(f) Two-way communications for basic life support services, advanced life support services, and nonemergency medical transportation services.

(g) Advanced life support services equipment.

(h) Programs of training for emergency medical technicians and paramedics.

(i) Vehicles, equipment, communications, and staffing for air ambulance services.

(j) Ambulance driver qualifications, training, and experience.

(k) Optional use of telemetry by licensees.

(2) The rules shall establish application requirements for licensure and certification. Pursuant thereto, application forms shall be developed by the department for basic life support services, advanced life support services, and nonemergency medical transportation services, respectively. Applications for each respective service license shall include, but not be limited to:

(a) The name and business address of the operator and owner of the basic life support service, advanced life support service, nonemergency medical transportation service, or proposed service.

(b) The name under which the applicant will operate.

(c) A list of the names and addresses of all officers, directors, and shareholders of the applicant.

(d) A description of each vehicle to be used, including: The make, model, year of manufacture, mileage, and vehicle identification number (VIN); the state or federal aviation or marine registration number, where applicable; and the color scheme, insignia, name, monogram, or other distinguishing characteristics to be used to designate the applicant's vehicle or vehicles.

(e) The location and description of each place from which the basic life support service, advanced life support service, or nonemergency medical transportation service will operate.

(f) A statement reasonably describing the geographic area or areas to be served by the applicant.

(g) A statement certifying that the applicant will provide continuous service on a 24-hour day, 7-day week basis, if a basic life support service license or an advanced life support service license is sought.

(h) Such other information as the department deems reasonable and necessary.

(3) The rules shall set forth specifications regarding insignia and other ambulance identification, except that any fire department may retain its fire department identity and may use such color schemes, insignia, names, monograms, or other distinguishing characteristics as are acceptable to the fire department to designate its vehicles as advanced life support vehicles. However, those advanced life support service/fire rescue vehicles or ambulances operated by fire departments which were purchased in whole or in part with federal funds shall comply with federal regulations pertaining to color scheme, emblems, and markings.

Section 17. Section 401.38, Florida Statutes, is amended to read:

401.38 Participation in federal programs.—The department shall develop federal funding proposals and apply for all federal funds available to carry out the purposes of this act. The department is authorized to participate in those federal programs aimed at the delivery of basic life support service, advanced life support service, and emergency medical services or non-emergency medical transportation service services and shall include such programs in its comprehensive plan.

Section 18. Section 401.41, Florida Statutes, is amended to read:

401.41 Penalties.—

(1) Any person who violates, or who fails violating, or failing to comply with, any provision of this act is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 for the first such violation, and is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084 for the second and subsequent violations.

(2) Any person who:

(a) Uses or attempts to use a certificate that has been suspended, revoked, or terminated;

(b) Practices or holds himself out as an emergency medical technician, paramedic, or ambulance driver without being so certified; or

(c) Knowingly conceals information relating to violations of this act;

is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) Whenever any person is charged with knowingly committing an assault or battery upon an ambulance driver, emergency medical technician, or paramedic when such ambulance driver, emergency medical technician, or paramedic is actively engaged in the lawful performance of his duties, the offense for which the person is charged shall be classified as follows:

(a) In the case of assault, the charge shall be a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.084.

(b) In the case of battery, the charge shall be a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) Each day that a violation of this act is committed or permitted to continue shall constitute a separate and distinct offense under this section.

Section 19. Section 401.411, Florida Statutes, is created to read:

401.411 Disciplinary action.—

(1) Each of the following acts is grounds for the disciplinary actions set forth in subsection (2):

(a) Procuring, attempting to procure, or renewing a certificate to practice as an emergency medical technician or paramedic by fakery, fraudulent action, or misrepresentation.

(b) Being convicted or found guilty, regardless of adjudication, of a crime that relates to practice as an emergency medical technician or paramedic in any jurisdiction. For purposes of this paragraph, a plea of nolo contendere is a conviction.

(c) Unprofessional conduct, including, but not limited to, any departure from or failure to conform to the minimal prevailing standards of acceptable practice as an emergency medical technician or paramedic.

(d) Engaging in or attempting to engage in the possession, except in legitimate duties under the supervision of a licensed physician, or the sale or distribution of any controlled substance as set forth in chapter 893.

(e) Practicing as an emergency medical technician or paramedic without reasonable skill and safety to patients by reason of illness, drunkenness, or use of drugs, narcotics, chemicals, or any other substance, or as a result of any mental or physical condition.

(f) Failure to report to the department any person whom the licensee knows is in violation of this act or the rules of the department.

(g) Sexual misconduct with the person being transported, including inducing or attempting to induce such person to engage in sexual activity outside the scope of practice as an emergency medical technician or paramedic or generally accepted examination or treatment procedures.

(2) The department may take any of the following actions against a licensee or applicant that it finds has committed any act specified as grounds for discipline:

(a) Refusal to approve an application.

(b) Revocation or suspension of a certificate.

(c) Imposition of an administrative fine not to exceed \$1,000 for each separate offense.

(d) Issuance of a reprimand.

(e) Placement of the person on probation for a specified period of time, subject to such conditions as the department may impose.

(3) The department shall not reinstate the certificate of, or cause a certificate to be issued to, a person whom it has determined to be unqualified, until such person has complied with all conditions of the disciplinary order of the department and is, in the judgment of the department, capable of resuming safe practice.

Section 20. Section 401.413, Florida Statutes, is created to read:

401.413 Administrative fines.—

(1) In addition to any other administrative action authorized by law, the department may impose an administrative fine, not to exceed \$1,000, for any violation of this act or of the rules adopted pursuant to this act. The department shall notify the violator of its intent to impose a fine prior to taking action. Each day that a violation continues may be considered a separate offense.

(2) In determining the amount of the fine, if any, the department shall consider the following factors:

(a) The gravity of the violation, including the probability of death or disability as a result of the violation;

(b) Actions taken to correct the violation; and

(c) Previous violations committed by the violator.

(3) All amounts collected pursuant to this section shall be deposited in the Emergency Medical Service Trust Fund.

Section 21. Section 401.43, Florida Statutes, is amended to read:

401.43 Fraudulently obtaining services from emergency medical services vehicle ambulance licensee.—Whoever, willfully and with intent to defraud, obtains or attempts to obtain services from an emergency medical services vehicle ambulance service licensee is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for the first offense, and is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for the second and subsequent offenses.

Section 22. Section 401.44, Florida Statutes, is amended to read:

401.44 Turning in a false alarm.—Whoever summons any emergency medical services vehicle pursuant to this act or reports that such a vehicle an ambulance is needed when such person knows or has reason to know that the services of such a vehicle an ambulance are not needed is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for the first offense, and is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for the second and subsequent offenses.

Section 23. The Auditor General shall make a performance audit of the Department of Health and Rehabilitative Services' process of examining, certifying, and licensing persons in the allied health professions. The Auditor General is mandated to consult with the Department of Health and Rehabilitative

Services and the Department of Professional Regulation in conducting this audit. Based on his findings, he shall, among other things, include in his audit report recommendations for improvement of the process and recommendations as to whether said process could be administered more effectively, efficiently, and economically by the Department of Professional Regulation. Copies of the report shall be submitted to the President of the Senate and Speaker of the House of Representatives no later than January 7, 1983. For purposes of this section, "allied health professionals" include persons certified by the Department of Health and Rehabilitative Services as:

- (1) Technologists.
- (2) Clinical laboratory personnel.
- (3) Lay midwives.
- (4) Emergency medical technicians.
- (5) Paramedics.
- (6) Ambulance drivers.
- (7) Hearing aid dispensers.

Section 24. Notwithstanding the provisions of the Regulatory Sunset Act, sections 401.21, 401.23, 401.24, 401.25, 401.26, 401.27, 401.30, 401.31, 401.33, 401.34, 401.35, 401.38, 401.41, 401.43, and 401.44, Florida Statutes, shall not stand repealed on October 1, 1982, as scheduled by such act, but shall continue in full force and effect as amended herein. Sections 401.29, 401.32, 401.355, 401.36, 401.37, 401.39, 401.40, 401.42, 401.46, and 401.47, Florida Statutes, shall stand repealed on October 1, 1982, as scheduled by the Regulatory Sunset Act.

Section 25. Part III of chapter 401, Florida Statutes, consisting of sections 401.21 through 401.44, Florida Statutes, is repealed on October 1, 1983, and shall be reviewed by the Legislature pursuant to section 11.61, Florida Statutes.

Section 26. Section 39 of Chapter 82-225, Laws of Florida, is amended to read:

Section 39. Sections 500.12 and 500.121, Florida Statutes, as amended by this act, are repealed on October 1, 1983, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes, and sections 500.417, 500.419, 500.431, and 500.432 Florida Statutes, are repealed on October 1, 1992, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes.

Section 27. Section 401.45, Florida Statutes, is amended to read:

401.45 Denial of emergency treatment; civil liability.—

(1) No person shall be denied treatment for any emergency medical condition which will deteriorate from a failure to provide such treatment at any general hospital licensed under chapter 395 or at any specialty hospital that has an emergency room that operates an emergency department providing emergency treatment to the public.

(2) A hospital or its employees or any physician or dentist responding to an apparent need for emergency treatment pursuant to this section shall not be held liable in any action arising out of a refusal to render emergency treatment or care if reasonable care is exercised in determining the condition of the person and in determining the appropriateness of the facilities and the qualifications and availability of personnel to render such treatment.

Section 28. This act shall take effect October 1, 1982.

Amendment 2—On pages 1-3, strike the entire title and insert: A bill to be entitled An act relating to medical services; amending s. 395.010, Florida Statutes, relating to the licensure of hospitals and ambulatory surgical centers, to clarify provisions relating to disciplinary proceedings and records and the access of the public thereto; amending s. 401.21, Florida Statutes, relating to the short title; creating s. 401.211, Florida Statutes, providing legislative intent; amending s. 401.23, Florida Statutes, reorganizing and revising definitions; amending s. 401.24, Florida Statutes, modifying provisions relative to the development of an emergency and nonemergency medical services state plan; amending s. 401.25, Florida Statutes, providing for licensure as a basic life support or an advanced life support service; creating s. 401.252, Florida Statutes, providing for in-

terhospital transfer; creating s. 401.255, Florida Statutes, providing for licensure as a nonemergency medical transportation service; amending s. 401.26, Florida Statutes, providing for permitting of vehicles used by basic and advanced life support services and nonemergency medical transportation services; amending s. 401.27, Florida Statutes, providing for certification of personnel and providing educational and training criteria and other standards with respect thereto; creating s. 401.281, Florida Statutes, providing personnel standards for ambulance drivers; amending s. 401.30, Florida Statutes, modifying recordkeeping requirements; amending s. 401.31, Florida Statutes, modifying provisions relative to periodic inspections of licensees made by the Department of Health and Rehabilitative Services; amending s. 401.33, Florida Statutes, adding exemptions; amending s. 401.34, Florida Statutes, modifying fee provisions; amending s. 401.35, Florida Statutes, requiring the adoption of certain rules; amending s. 401.38, Florida Statutes, relating to participation in federal programs; amending s. 401.41, Florida Statutes, modifying and expanding penalty provisions; creating s. 401.411, Florida Statutes, specifying grounds for disciplinary action and authorizing the taking of specified actions; creating s. 401.413, Florida Statutes, providing for administrative fines which may be levied for violation of the act; amending s. 401.43, Florida Statutes, modifying penalty provisions for fraudulently obtaining services; amending s. 401.44, Florida Statutes, modifying penalty provisions for turning in a false alarm; amending s. 401.45, Florida Statutes; prohibiting denial of emergency services in specified situations; requiring the Auditor General to make a study of allied health professionals regulated by the Department of Health and Rehabilitative Services; providing for certain recommendations to be made with respect thereto; providing for submission of same to the Legislature by January 7, 1983; saving specified sections of part III of chapter 401, Florida Statutes, from sunset repeal scheduled October 1, 1982; providing for review and repeal of part III of chapter 401, Florida Statutes, relating to emergency and nonemergency medical transportation services, on October 1, 1983; providing an effective date.

Senator McKnight moved the following amendments to House Amendment 1 which were adopted:

Amendment 1 to House Amendment 1—On page 36, lines 2-5, strike all language after "through" and insert: 401.45, Florida Statutes, is repealed on October 1, 1992, and shall be reviewed pursuant to section 11.61, Florida Statutes, except that sections 401.23(9), (11), (16), 401.25(7), 401.27, 401.31(2), 401.34(1)(f)-(k), (5), (6), 401.35(1)(b), (h), 401.41(2)(a), (b), 401.411, Florida Statutes, are repealed on October 1, 1983, and shall be reviewed pursuant to section 11.61, Florida Statutes.

Amendment 2 to House Amendment 1—On page 23, line 5, strike "individuals" and insert: patients

On motions by Senator McKnight, the Senate concurred in House Amendment 1 as amended and the House was requested to concur in the Senate amendments to the House Amendment.

On motion by Senator McKnight, the Senate concurred in House Amendment 2.

SB 19-H passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Grizzle	Maxwell	Steinberg
Anderson	Hair	McClain	Stevens
Barron	Henderson	McKnight	Stuart
Beard	Hill	Neal	Thomas
Carlucci	Jenne	Peterson	Tobiassen
Childers, D.	Jennings	Poole	Trask
Frank	Langley	Renick	Vogt
Gersten	Lewis	Scott	Ware
Gordon	Margolis	Skinner	

Nays—1

Johnston

Vote after roll call:

Yea—Jenkins, Rehm

On motion by Senator Thomas, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senators Thomas, Hair and Dunn—

SB 34-H—A bill to be entitled An act relating to elections; redesignating s. 106.141(6)(c), Florida Statutes, and adding a new paragraph (c) to said subsection; authorizing a candidate to give surplus campaign funds to the political party of which he is a registered member; providing an effective date.

—which was read the first time by title and referred to the Committee on Judiciary-Civil.

On motions by Senator Thomas, by two-thirds vote SB 34-H was withdrawn from the Committee on Judiciary-Civil and taken up instanter.

On motions by Senator Thomas, by two-thirds vote SB 34-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Grizzle	Maxwell	Steinberg
Anderson	Hair	McClain	Stevens
Barron	Henderson	McKnight	Stuart
Beard	Hill	Neal	Thomas
Carlucci	Jenne	Peterson	Tobiassen
Childers, D.	Jennings	Poole	Trask
Dunn	Johnston	Rehm	Vogt
Frank	Langley	Renick	Ware
Gersten	Lewis	Scott	
Gordon	Margolis	Skinner	

Nays—None

Vote after roll call:

Yea—Jenkins

On motions by Senator Maxwell, by two-thirds vote SB 32-H was withdrawn from the Committee on Rules and Calendar and taken up instanter.

SB 32-H—A bill to be entitled An act relating to the Ringling Museum of Art; authorizing the expenditure of funds; providing an effective date.

—was read the second time by title. On motion by Senator Maxwell, by two-thirds vote SB 32-H was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Hair	Maxwell	Steinberg
Anderson	Henderson	McClain	Stevens
Beard	Hill	Neal	Stuart
Carlucci	Jenne	Peterson	Thomas
Childers, D.	Jennings	Poole	Trask
Frank	Johnston	Rehm	Vogt
Gersten	Langley	Renick	Ware
Gordon	Lewis	Scott	
Grizzle	Margolis	Skinner	

Nays—None

Vote after roll call:

Yea—Jenkins, Tobiassen

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and adopted HCR 32-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Spaet and others—

HCR 32-H—A concurrent resolution commending the national champion University of Miami baseball team.

On motions by Senator Steinberg, by the required constitutional two-thirds vote of the Senate, HCR 32-H was admitted for introduction, read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Steinberg, by two-thirds vote HCR 32-H was withdrawn from the Committee on Rules and Calendar and taken up instanter.

On motion by Senator Steinberg, by two-thirds vote HCR 32-H was read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—34

Mr. President	Grizzle	Margolis	Steinberg
Anderson	Hair	McClain	Stevens
Beard	Henderson	McKnight	Stuart
Carlucci	Hill	Neal	Thomas
Childers, D.	Jenne	Peterson	Trask
Dunn	Jennings	Poole	Vogt
Frank	Johnston	Rehm	Ware
Gersten	Langley	Renick	
Gordon	Lewis	Scott	

Nays—None

Vote after roll call:

Yea—Jenkins, Tobiassen

On motion by Senator Lewis, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senator Lewis—

SB 37-H—A bill to be entitled An act relating to the Florida Atlantic University West Palm Beach Center; amending s. 2, chapter 82-247, Laws of Florida; providing for the immediate transfer of certain land to the United Way of Palm Beach County Incorporated; providing an effective date.

—which was read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Lewis, by two-thirds vote SB 37-H was withdrawn from the Committee on Rules and Calendar and taken up instanter.

On motions by Senator Lewis, by two-thirds vote SB 37-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Hair	Maxwell	Steinberg
Anderson	Henderson	McClain	Stevens
Beard	Hill	McKnight	Stuart
Carlucci	Jenne	Neal	Thomas
Childers, D.	Jennings	Peterson	Tobiassen
Frank	Johnston	Poole	Vogt
Gersten	Langley	Renick	Ware
Gordon	Lewis	Scott	
Grizzle	Margolis	Skinner	

Nays—None

Vote after roll call:

Yea—Jenkins, Rehm

On motion by Senator Langley, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senators Langley and Carlucci—

SB 38-H—A bill to be entitled An act relating to Clay and Putnam Counties; amending ss. 7.10, 7.54, Florida Statutes; providing for inclusion within Clay County of certain lands in Putnam County; providing an effective date.

—which was read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Langley, by two-thirds vote SB 38-H was withdrawn from the Committee on Rules and Calendar and taken up instanter.

On motions by Senator Langley, by two-thirds vote SB 38-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Henderson	McClain	Steinberg
Anderson	Hill	McKnight	Stevens
Beard	Jenne	Neal	Stuart
Carlucci	Jennings	Peterson	Thomas
Childers, D.	Johnston	Poole	Tobiassen
Frank	Langley	Rehm	Trask
Gersten	Lewis	Renick	Vogt
Gordon	Margolis	Scott	Ware
Grizzle	Maxwell	Skinner	

Nays—None

Vote after roll call:

Yea—Hair, Jenkins

On motions by Senator Peterson, by two-thirds vote SB 29-H was withdrawn from the Committee on Rules and Calendar and taken up instanter.

SB 29-H—A bill to be entitled An act relating to nursing; adding s. 464.009(4), Florida Statutes; authorizing licensure by endorsement for registered nurses from a foreign country under specified circumstances; providing an effective date.

—was read the second time by title.

Senator Peterson moved that the rules be waived and SB 29-H be read the third time by title and the motion failed. The vote was:

Yeas—14

Anderson	Henderson	McKnight	Trask
Barron	Hill	Neal	Ware
Gersten	Margolis	Peterson	
Grizzle	Maxwell	Steinberg	

Nays—15

Mr. President	Hair	Johnston	Thomas
Beard	Jenkins	Poole	Tobiassen
Childers, D.	Jenne	Skinner	Vogt
Frank	Jennings	Stuart	

Vote after roll call:

Yea—Gordon

Nay—Carlucci, Lewis, McClain

On motion by Senator Henderson, the rules were waived and the Senate reverted to—

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Con-

stitutional two-thirds vote of the membership and passed HB 28-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Burrall—

HB 28-H—A bill to be entitled An act relating to Sarasota and Charlotte Counties; amending section 3(A) of chapter 82-381, Laws of Florida, providing for staggering of terms of members of the Board of Commissioners of the Englewood Area Fire Control District; providing for a referendum.

On motions by Senator Henderson, by the required constitutional two-thirds vote of the Senate, HB 28-H was admitted for introduction, read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Henderson, by two-thirds vote HB 28-H was withdrawn from the Committee on Rules and Calendar and taken up instanter.

On motions by Senator Henderson, by two-thirds vote HB 28-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gordon	Lewis	Skinner
Anderson	Grizzle	Margolis	Steinberg
Barron	Hair	Maxwell	Stevens
Beard	Henderson	McClain	Thomas
Carlucci	Hill	McKnight	Tobiassen
Childers, D.	Jenkins	Neal	Vogt
Dunn	Jenne	Peterson	Ware
Frank	Jennings	Poole	
Gersten	Johnston	Rehm	

Nays—None

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 63-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Richmond—

HB 63-H—A bill to be entitled An act relating to land sales practices; amending s. 498.017(1) and (2), Florida Statutes, and adding subsection (12) thereto, providing specific fee schedules with respect to subdivision registration and the renewal thereof under the "Florida Uniform Land Sales Practices Law"; providing a fee for the filing of certain requests; amending s. 498.033(4), Florida Statutes, relating to the registration of subdivided lands, to correct a scrivener's error; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

On motions by Senator Anderson, by the required constitutional two-thirds vote of the Senate, HB 63-H was admitted for introduction, read the first time by title and referred to the Committee on Commerce.

On motions by Senator Anderson, by two-thirds vote HB 63-H was withdrawn from the Committee on Commerce and taken up instanter.

On motions by Senator Anderson, by two-thirds vote HB 63-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gordon	Langley	Steinberg
Anderson	Grizzle	Maxwell	Stuart
Barron	Hair	McClain	Thomas
Beard	Henderson	McKnight	Tobiassen
Carlucci	Hill	Neal	Trask
Childers, D.	Jenkins	Poole	Vogt
Dunn	Jenne	Rehm	Ware
Frank	Jennings	Renick	
Gersten	Johnston	Skinner	

Nays—1

Stevens

The Senate resumed consideration of—

HB 29-H—A bill to be entitled An act relating to tax on sales, use and other transactions; amending s. 212.057(1), (2), (3), (4), and (7), Florida Statutes, and adding subsections (8) and (9) thereto, relating to a discretionary additional tax for sports, arts and recreation centers; specifying applicability to purchases made in jurisdictions not levying such a tax under certain circumstances; providing method of taxing certain services billed on a monthly cycle; providing for refund of additional tax paid by certain contractors; providing penalties; specifying that use of the proceeds of the tax includes interest accrued thereto; specifying additional centers for which proceeds may be used; revising provisions relating to the referendum at which the tax must be approved; requiring a ballot statement as part of the tax ordinance and modifying the ballot question; revising the date by which a county may declare its intent not to levy the tax; authorizing levy of the tax by the most populous municipality if levy by the county is not approved; providing for payment of costs of administration; providing for reports on expenses by the Department of Revenue; providing for disposition of tax collected after a specified date; requiring governing authorities levying the tax to notify the department; providing applicable brackets for imposition of the tax; providing severability; providing an effective date.

On motions by Senator Vogt, the Senate reconsidered the vote by which Amendments 1, 2, 8, and 9 were adopted. Amendments 1, 2, 8, and 9 were withdrawn.

On motions by Senator Johnston, the Senate reconsidered the vote by which Amendments 4, 5, 6 and 7 were adopted.

Amendments 4, 5, 6 and 7 were withdrawn.

On motion by Senator Gordon, by two-thirds vote HB 29-H was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Hair	McClain	Steinberg
Beard	Henderson	McKnight	Stuart
Childers, D.	Hill	Neal	Tobiassen
Dunn	Jenne	Peterson	Ware
Frank	Johnston	Rehm	
Gersten	Lewis	Scott	
Gordon	Maxwell	Skinner	

Nays—7

Anderson	Langley	Renick	Vogt
Grizzle	Poole	Stevens	

On motion by Senator Vogt, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senators Vogt and Neal—

SB 35-H—A bill to be entitled An act relating to pollution control; creating part VIII of chapter 403, Florida Statutes; providing legislative intent; providing definitions; establishing and authorizing the Department of Environmental Regulation to administer the Florida Pollutant Discharge Elimination System permit program; providing procedures for issuance of permits to discharge pollutants; providing for enforcement by the Department of Environmental Regulation; authorizing the

department to charge a permit fee; amending s. 403.031(11), Florida Statutes; requiring the United States or its agencies to obtain permits pursuant to chapter 403, Florida Statutes; amending s. 403.087(6), Florida Statutes, and adding subsection (10) to said section; providing for issuance, modification, or revocation of a permit; amending s. 403.091, Florida Statutes, as amended; authorizing inspection of facilities and records; establishing procedures for issuance of inspection warrants; amending s. 403.511(3), Florida Statutes; providing time periods for certifications; adding s. 403.8055(7), Florida Statutes; requiring specific reference to federal regulations being adopted by the state; providing penalties; amending s. 288.514(3), Florida Statutes, and adding subsection (6) to said section; providing for effects of certification; establishing time periods for certifications; adding s. 20.261(4), Florida Statutes; providing restrictions on income of persons who take final agency action on permits to discharge; providing severability; providing an effective date with conditions.

—which was read the first time by title and referred to the Committee on Natural Resources and Conservation.

On motions by Senator Vogt, by two-thirds vote SB 35-H was withdrawn from the Committee on Natural Resources and Conservation and taken up instanter.

On motions by Senator Vogt, by two-thirds vote SB 35-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Hair	McClain	Stevens
Anderson	Henderson	McKnight	Stuart
Beard	Hill	Neal	Thomas
Carlucci	Jenne	Poole	Tobiassen
Childers, D.	Jennings	Rehm	Trask
Dunn	Johnston	Renick	Vogt
Frank	Langley	Scott	Ware
Gersten	Lewis	Skinner	
Grizzle	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Jenkins, Peterson

The Senate resumed consideration of—

HB 38-H—A bill to be entitled An act making supplemental appropriations to the 1982 General Appropriations Act; providing additional moneys for the annual period beginning July 1, 1982, and ending on June 30, 1983, to pay salaries and other expenses, capital outlay (buildings and improvements), and for other specified purposes of the Department of Corrections and the Florida Parole and Probation Commission which are in addition to those moneys appropriated in chapter 82-215, Laws of Florida; providing an effective date.

—which was taken up with pending Amendment 1.

Senator Gordon moved the following amendment to Amendment 1:

Amendment 1B—On page 2, line 30 through page 3, line 7, strike:

Specific Appropriations

Probation and Parole Services			
9	Salaries and Benefits	Positions	367
	From General Revenue Fund		3,262,442
10	Expenses		
	From General Revenue Fund		549,678
11	Operating Capital Outlay		
	From General Revenue Fund		385,975
TOTAL			4,198,095

Explanation:

Deletes 367 positions in probation and parole services.  
Deletes \$4,198,095 from General Revenue.

Senator Carlucci moved the following substitute amendment for Amendment 1B which failed:

Amendment 1C—On page 2, line 30 through page 3, line 7:

STRIKE INSERT

Specific Appropriations

Probation and Parole Services

9	Salaries and Benefits	Positions	367	159
	From General Revenue Fund		3,262,442	1,465,898
10	Expenses			
	From General Revenue Fund		549,678	255,513
11	Operating Capital Outlay			
	From General Revenue Fund		385,975	142,623
<b>TOTAL</b>			<b>4,198,095</b>	<b>1,864,034</b>

Explanation:

Maintains current caseload formula (1:109) funded in the 1982 General Appropriations Act. Deletes 208 positions and \$2,334,061.

The vote was:

Yeas—6

Carlucci	Gordon	Jenne	Lewis
Gersten	Grizzle		

Nays—33

Mr. President	Hill	Neal	Stuart
Anderson	Jenkins	Peterson	Thomas
Barron	Jennings	Poole	Tobiassen
Beard	Johnston	Rehm	Trask
Childers, D.	Langley	Renick	Vogt
Dunn	Margolis	Scott	Ware
Frank	Maxwell	Skinner	
Hair	McClain	Steinberg	
Henderson	McKnight	Stevens	

The question recurred on Amendment 1B, which failed.

The vote was:

Yeas—11

Anderson	Childers, D.	Langley	Stevens
Beard	Gersten	Peterson	Trask
Carlucci	Gordon	Scott	

Nays—28

Mr. President	Hill	Maxwell	Skinner
Barron	Jenkins	McClain	Steinberg
Dunn	Jenne	McKnight	Stuart
Frank	Jennings	Neal	Thomas
Grizzle	Johnston	Poole	Tobiassen
Hair	Lewis	Rehm	Vogt
Henderson	Margolis	Renick	Ware

Senator Gordon moved the following amendment to Amendment 1 which failed:

Amendment 1D—On page 3, lines 8-14, strike:

Parole and Probation Commission

12	Salaries and Benefits	Positions	7
	From General Revenue Fund		161,906
13	Expenses		
	From General Revenue Fund		24,004
14	Operating Capital Outlay		10,378

Deletes probation parole officers' increase

Net impact: Deletes 196,288

Senators Carlucci, Ware, Maxwell, Gordon, Lewis and Peterson offered the following amendment to Amendment 1 which was moved by Senator Carlucci:

Amendment 1E—On page 4, insert after Item 1 the following proviso: Of the \$6,275,000 provided in Item 1, \$2,000,000 shall

be used to construct a local community correctional residential program for short term incarceration.

On motion by Senator Peterson, further consideration of HB 38-H was deferred.

On motion by Senator Dunn, the Senate recessed at 12:00 noon to reconvene at 1:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:00 p.m. A quorum present—36:

Mr. President	Gordon	Margolis	Scott
Anderson	Grizzle	Maxwell	Skinner
Barron	Henderson	McClain	Steinberg
Beard	Hill	McKnight	Stevens
Carlucci	Jenne	Neal	Stuart
Childers, D.	Jennings	Peterson	Thomas
Dunn	Johnston	Poole	Tobiassen
Frank	Langley	Rehm	Vogt
Gersten	Lewis	Renick	Ware

The Senate resumed consideration of—

HB 20-H—A bill to be entitled An act relating to witnesses; amending s. 914.04, Florida Statutes; eliminating provision for transactional immunity; providing an effective date.

—with pending Amendment 1.

Senator Barron moved that further consideration of HB 20-H be deferred. The motion failed.

The question recurred on Amendment 1 which failed.

Senator Gordon moved that further consideration of HB 20-H be deferred. The motion failed. The vote was:

Yeas—8

Anderson	Gordon	Lewis	Scott
Barron	Henderson	Peterson	Thomas

Nays—26

Mr. President	Grizzle	McClain	Stevens
Beard	Hill	McKnight	Stuart
Carlucci	Jenne	Poole	Tobiassen
Childers, D.	Jennings	Rehm	Vogt
Dunn	Johnston	Renick	Ware
Frank	Langley	Skinner	
Gersten	Margolis	Steinberg	

On motion by Senator Jenne, by two-thirds vote HB 20-H was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Hill	McKnight	Stevens
Beard	Jenne	Neal	Stuart
Carlucci	Jennings	Poole	Thomas
Childers, D.	Johnston	Renick	Tobiassen
Dunn	Langley	Scott	Vogt
Frank	Margolis	Skinner	Ware
Grizzle	McClain	Steinberg	

Nays—2

Barron	Gordon
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Vote after roll call:

Yea—Anderson, Hair, Jenkins, Lewis, Peterson, Rehm

The Senate resumed consideration of—

HB 38-H—A bill to be entitled An act making supplemental appropriations to the 1982 General Appropriations Act; provid-

ing additional moneys for the annual period beginning July 1, 1982, and ending on June 30, 1983, to pay salaries and other expenses, capital outlay (buildings and improvements), and for other specified purposes of the Department of Corrections and the Florida Parole and Probation Commission which are in addition to those moneys appropriated in chapter 82-215, Laws of Florida; providing an effective date.

—with pending Amendment 1E which was withdrawn.

On motion by Senator Margolis, the Senate reconsidered the vote by which Amendment 1A was adopted. Amendment 1A was withdrawn.

Amendment 1 was withdrawn.

Senators Margolis and McKnight offered the following amendment which was moved by Senator Margolis and adopted:

Amendment 2—On page 5, between lines 13 and 14, insert a new section 4 and renumber subsequent section.

Section 4. The moneys in the following item are hereby appropriated from the General Revenue Fund and may be used to pay for specific expenditures of the named agency.

Commerce, Department of Special Categories Promotion of Business Opportunities in Depressed Areas From General Revenue Fund	\$50,000
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Funds may only be expended on a two to one basis by contributions from the private sector.

On motion by Senator McKnight, by two-thirds vote HB 38-H as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President Anderson Barron Beard Carlucci Childers, D. Frank Gersten Gordon	Grizzle Hair Henderson Hill Jenne Jennings Johnston Langley Lewis	Margolis Maxwell McClain McKnight Neal Peterson Rehm Renick Scott	Skinner Steinberg Stevens Stuart Thomas Tobiassen Vogt Ware
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Nays—None

Vote after roll call:

Yea—Jenkins, Poole

On motion by Senator Dunn, the following bills were established as a special order calendar: HB 57-H, SB 33-H, HB 10-H, HJR 43-H, HB 58-H, HB 37-H, HB 44-H, HB 39-H.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed as amended HB 57-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Pajcic—

HB 57-H—A bill to be entitled An act relating to taxation; amending s. 166.231(3), Florida Statutes, as amended, relating to the municipal public service tax, to change the term "kilowatts," which cannot be measured by a residential meter, to the phrase "kilowatt hours," which is measurable; amending s. 200.065(2)(e), Florida Statutes, as amended, relating to millage rates for municipal service taxing units and dependent special taxing districts, and hearings related thereto; amend-

ing s. 212.82(3), Florida Statutes, relating to the Local Government Half-cent Sales Tax, to appropriate certain proceeds to the Department of Revenue for distribution to the local governments; amending s. 220.03(5)(b) and (c), as created by chapter 82-232, Laws of Florida, and as subsequently amended, providing a time period to exercise the right of electing certain methods to report and pay the corporate income tax; amending s. 220.13(1)(c), Florida Statutes, as amended, and amending s. 220.13(1)(d), Florida Statutes, as created by chapter 82-232, Laws of Florida, and as subsequently amended, clarifying language with respect to certain income on installment sales; amending s. 221.01, Florida Statutes, as created by chapter 82-232, Laws of Florida, and as subsequently amended, providing a cross reference clarifying which taxpayers are subject to the emergency excise tax; requiring certain corporate taxpayers to pay emergency excise taxes; amending sections 7 and 8 of chapter 82-232, Laws of Florida, as amended by chapter 82-385, Laws of Florida, relating to the effect of certain amendments to the corporate income tax and the emergency excise tax law, and relating to the effective date of certain amendments to such tax laws; amending subsection (2) of s. 196.1975, Florida Statutes, as amended in Chapter 82-133, Laws of Florida; providing requirement to qualify as a home for the aged; providing an effective date.

On motion by Senator Ware, by the required constitutional two-thirds vote of the Senate, HB 57-H was admitted for introduction, read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Ware, by two-thirds vote HB 57-H was withdrawn from the Committee on Rules and Calendar and taken up instanter.

On motions by Senator Ware, by two-thirds vote HB 57-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President Anderson Beard Carlucci Childers, D. Dunn Frank Gersten	Gordon Grizzle Henderson Hill Jennings Johnston Langley Lewis	Margolis Maxwell McClain McKnight Neal Peterson Renick Scott	Steinberg Stevens Stuart Thomas Vogt Ware
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Nays—None

Vote after roll call:

Yea—Hair, Jenkins

On motion by Senator Jenne, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senators Jenne and Neal—

SB 33-H—A bill to be entitled An act relating to eminent domain; authorizing the Department of Natural Resources to acquire certain parcels of land by eminent domain; amending s. 253.023(8), Florida Statutes, as amended; providing that the Conservation and Recreation Lands Trust Fund may be used for all costs associated with condemnation; adding subsection (5) to s. 375.041, Florida Statutes; providing that the Land Acquisition Trust Fund may be used for all costs associated with condemnation; authorizing the South Florida Water Management District to acquire certain parcels of land by eminent domain; providing an effective date.

—which was read the first time by title and referred to the Committee on Natural Resources and Conservation.

On motions by Senator Jenne, by two-thirds vote SB 33-H was withdrawn from the Committee on Natural Resources and Conservation and taken up instanter.

On motion by Senator Jenne, by two-thirds vote SB 33-H was read the second time by title.

Senators Carlucci, Hair and Jenkins offered the following amendment which was moved by Senator Carlucci:

Amendment 1—On page 4, between lines 26 and 27, insert: (4) BIG TALBOT ISLAND.—All those privately owned lands located on Big Talbot Island as located at Township 1 South, Range 29 East; Township 1 North, Range 29 East; Duval County, Florida.

(5) JULINGTON/DURBIN CREEK PENINSULA.—All that privately owned property located as shown on a map on file in the records of the Florida Department of Natural Resources, Tallahassee, Florida, in Sections 23, 24, 25, 26, 27, 28, 35 and 36 of Township 4 South, Range 27 East; Sections 19, 29, 30, 31 and 32 of Township 4 South, Range 28 East, Duval County; and Sections 5 and 6 Township 5 South, Range 28 East, St. Johns County.

Senators Neal, Henderson and Vogt offered the following substitute amendment which was moved by Senator Neal and adopted:

Amendment 2—On page 4, between lines 26 and 27, add new subsections 4 and 5:

(4) MASHES SAND.—All the privately owned property shown on a map on file in the records of the Florida Department of Natural Resources, Tallahassee, Florida which lands are located within Sections 4, 5, 8 and 9, Township 6 South, Range 1 West, Wakulla County.

(5) CHARLOTTE HARBOR.—All privately owned property located within the boundaries of the Charlotte Harbor C.A.R.L. acquisition area as shown on a map or plat on file in the records of the Florida Department of Natural Resources, Tallahassee, Florida, in Section 25, Township 41 South, Range 22 East; Sections 1, 12 and 19, Township 42 South, Range 22 East; Section 18, Township 42 South, Range 21 East; Section 30, Township 41 South, Range 23 East and Sections 7, 18 and 19, Township 42 South, Range 23 East, Charlotte County, Florida.

Senators Carlucci, Hair and Jenkins offered the following amendment which was moved by Senator Carlucci and adopted:

Amendment 3—On page 4, between lines 26 and 27, insert: (4) JULINGTON/DURBIN CREEK PENINSULA.—All that privately owned property located as shown on a map on file in the records of the Florida Department of Natural Resources, Tallahassee, Florida, in Sections 23, 24, 25, 26, 27, 28, 35 and 36 of Township 4 South, Range 27 East; Sections 19, 29, 30, 31 and 32 of Township 4 South, Range 28 East, Duval County; and Sections 5 and 6 Township 5 South, Range 28 East, St. Johns County.

On motion by Senator Jenne, by two-thirds vote SB 33-H as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—26

Mr. President Gersten Margolis Steinberg
Anderson Gordon McClain Tobiassen
Beard Grizzle McKnight Trask
Carlucci Henderson Neal Vogt
Childers, D. Jenne Rehm Ware
Dunn Johnston Renick
Frank Lewis Scott

Nays—9

Barron Maxwell Skinner Thomas
Hill Peterson Stevens
Langley Poole

Vote after roll call:

Yea—Hair, Jenkins, Stuart
Yea to Nay—Lewis

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional

two-thirds vote of the membership and passed as amended HB 10-H and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Gallagher—

HB 10-H—A bill to be entitled An act relating to workers' compensation; amending s. 440.385(3)(b) and (c), Florida Statutes, and creating subsection (13) thereof; providing the Florida Self-Insurers Guaranty Association, Incorporated, the authority to charge fees to applicants and members of the association; providing for corporate income tax credits for certain assessments and for payment to the state of certain monies provided to association members; amending paragraph (a) of subsection (1) of section 220.13, Florida Statutes; providing for an addition to adjusted taxable income for certain tax credits allowed to members of guaranty associations; providing an effective date.

On motion by Senator Barron, by the required constitutional two-thirds vote of the Senate, HB 10-H was admitted for introduction, read the first time by title and referred to the Committee on Commerce.

On motions by Senator Barron, by two-thirds vote HB 10-H was withdrawn from the Committee on Commerce and taken up instanter.

On motions by Senator Barron, by two-thirds vote HB 10-H was read the second time by title, and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President Grizzle McClain Steinberg
Barron Henderson Neal Stevens
Beard Hill Peterson Thomas
Carlucci Jenne Poole Tobiassen
Childers, D. Jennings Rehm Trask
Dunn Langley Renick Vogt
Frank Lewis Scott Ware
Gersten Maxwell Skinner

Nays—3

Anderson Gordon Johnston

Vote after roll call:

Yea—Hair, Jenkins, Stuart

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of the membership of the House HJR 43-H and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Sheldon and others—

HJR 43-H—A joint resolution proposing an amendment to Section 14, Article I of the State Constitution, relating to pre-trial release and detention.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 14 of Article I of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 1982, and, if approved, shall take effect January 1, 1983:

ARTICLE I

DECLARATION OF RIGHTS

Section 14. Pretrial release and detention Bail.—Unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great, Until adjudged guilty, every person charged with a crime or violation of municipal or county ordinance shall be

entitled to pretrial release on reasonable conditions. If no conditions of release can reasonably protect the community from risk of physical harm to persons, assure the presence of the accused at trial, or assure the integrity of the judicial process, the accused may be detained, bail with sufficient surety unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE I, SECTION 14

PRETRIAL RELEASE AND DETENTION.—Proposing an amendment to the State Constitution, effective January 1, 1983, to provide that a person charged with a crime or a violation of a municipal or county ordinance, other than a capital offense or an offense punishable by life imprisonment, shall be entitled to release before trial unless enumerated conditions indicate that the person should be detained.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

On motions by Senator Jenne, by two-thirds vote HJR 43-H was withdrawn from the Committee on Judiciary-Criminal and taken up instanter.

On motions by Senator Jenne, by two-thirds vote HJR 43-H was read the second time by title and by two-thirds vote was read the third time in full, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Grizzle	McClain	Stevens
Anderson	Henderson	McKnight	Stuart
Barron	Hill	Neal	Thomas
Beard	Jenne	Peterson	Tobiassen
Carlucci	Jennings	Poole	Trask
Childers, D.	Johnston	Rehm	Vogt
Dunn	Langley	Renick	Ware
Frank	Lewis	Scott	
Gersten	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Gordon, Hair, Jenkins

On motion by Senator Carlucci, by two-thirds vote HB 58-H was withdrawn from the Committee on Corrections, Probation and Parole.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 37-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Mills and Ward—

HB 37-H—A bill to be entitled An act relating to corrections; creating s. 944.021, Florida Statutes; creating a corrections overcrowding task force to make recommendations with respect to prison overcrowding; providing for appointment and responsibilities; providing for a report to the Governor and Legislature; providing an effective date.

—was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

On motions by Senator McKnight, by two-thirds vote HB 37-H was withdrawn from the Committee on Corrections, Probation and Parole and taken up instanter.

On motion by Senator McKnight, by two-thirds vote HB 37-H was read the second time by title.

Senator Dunn moved the following amendment which was adopted:

Amendment 1—On page 2, strike all of lines 21 and 22 and insert: be provided by the Department of Legal Affairs.

On motion by Senator McKnight, by two-thirds vote HB 37-H as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Grizzle	McClain	Steinberg
Anderson	Henderson	McKnight	Stevens
Barron	Hill	Neal	Stuart
Beard	Jenne	Peterson	Thomas
Childers, D.	Jennings	Poole	Tobiassen
Dunn	Johnston	Rehm	Trask
Frank	Langley	Renick	Vogt
Gersten	Lewis	Scott	
Gordon	Maxwell	Skinner	

Nays—None

Vote after roll call:

Yea—Hair, Jenkins

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 44-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Sheldon and L. J. Smith—

HB 44-H—A bill to be entitled An act relating to pretrial release and detention; providing legislative intent; creating a presumption in favor of release on nonmonetary conditions; providing circumstances for pretrial detention; defining “dangerous crime”; requiring notice to the state attorney; requiring hearing; specifying rights of defendants; requiring speedy trial; providing an effective date.

—was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

On motions by Senator Jenne, by two-thirds vote HB 44-H was withdrawn from the Committee on Corrections, Probation and Parole and taken up instanter.

On motions by Senator Jenne, by two-thirds vote HB 44-H was read the second time by title and by two-thirds vote was read the third time by title.

Senator Langley moved the following amendment which was adopted by two-thirds vote:

Amendment 1—On page 4, lines 10 and 11, strike “, excluding weekends and holidays”

HB 44-H as amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Grizzle	McClain	Stuart
Anderson	Henderson	McKnight	Thomas
Beard	Hill	Neal	Tobiassen
Carlucci	Jenne	Peterson	Trask
Childers, D.	Jennings	Rehm	Vogt
Dunn	Johnston	Renick	Ware
Frank	Langley	Scott	
Gersten	Lewis	Steinberg	
Gordon	Maxwell	Stevens	

Nays—None

Vote after roll call:

Yea—Hair, Jenkins

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 39-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Mills and Ward—

**HB 39-H**—A bill to be entitled An act relating to corrections; creating s. 944.927, Florida Statutes, the Local Offender Advisory Council Act; providing legislative intent with respect to establishment of optional pilot community programs within the 1st and 8th judicial circuits to provide sentencing alternatives for certain nonviolent offenders; providing for local offender advisory councils in participating counties and cities and specifying duties thereof; providing for assistance by the Department of Corrections; providing procedure for withdrawal from the program; providing an effective date.

—was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

On motions by Senator Rehm, by two-thirds vote HB 39-H was withdrawn from the Committee on Corrections, Probation and Parole and taken up instanter.

On motions by Senator Rehm, by two-thirds vote HB 39-H was read the second time by title and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Langley	Skinner
Anderson	Grizzle	Lewis	Steinberg
Barron	Hair	Maxwell	Stevens
Beard	Henderson	McClain	Stuart
Carlucci	Hill	McKnight	Thomas
Childers, D.	Jenkins	Neal	Tobiassen
Dunn	Jenne	Peterson	Trask
Frank	Jennings	Renick	Vogt
Gersten	Johnston	Scott	Ware

Nays—None

On motions by Senator Carlucci, by two-thirds vote SB 5-H was withdrawn from the Committee on Appropriations and Appropriations Subcommittee C.

**SB 5-H**—A bill to be entitled An act relating to parole; amending s. 947.01, Florida Statutes; increasing the number of members on the Parole and Probation Commission; amending s. 947.02, Florida Statutes; providing for a Parole and Probation Qualifications Committee; providing procedures for appointment of commissioners; providing for appointments based upon recommendations; providing for the application of public records and public meeting laws to the committee; amending s. 947.04(1), Florida Statutes; providing for the appointment of consenting retired commissioners to the Parole and Probation Commission when the chairman certifies a workload need; repealing s. 20.32, Florida Statutes, relating to the establishment of the Parole and Probation Commission; repealing chapter 947, Florida Statutes, as amended, relating to the duties, responsibilities, and operation of the Parole and Probation Commission; providing for legislative review of the Parole and Probation Commission; providing an effective date.

—was read the second time by title.

Senator Carlucci moved the following amendments which were adopted:

**Amendment 1**—On page 5, line 26, strike “chairman” and insert: Governor and Cabinet

**Amendment 2**—On page 7, line 12, strike “January 1, 1983” and insert: upon becoming a law

On motion by Senator Carlucci, by two-thirds vote SB 5-H as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Grizzle	McKnight	Stevens
Anderson	Henderson	Neal	Stuart
Beard	Hill	Peterson	Thomas
Carlucci	Jenne	Poole	Tobiassen
Childers, D.	Jennings	Rehm	Vogt
Dunn	Langley	Renick	Ware
Frank	Lewis	Scott	
Gersten	Maxwell	Skinner	
Gordon	McClain	Steinberg	

Nays—None

Vote after roll call:

Yea—Hair, Jenkins

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 2-H and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Davis and others—

**HB 2-H**—A bill to be entitled An act relating to bail; amending s. 903.133, Florida Statutes, expanding the types of first degree felonies for which a person convicted thereof shall be denied bail upon appeal; repealing Rules 3.130(a) and 3.691 (a), Florida Rules of Criminal Procedure, insofar as the rules conflict with this act; providing an effective date.

—was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

On motions by Senator Jenne, by two-thirds vote HB 2-H was withdrawn from the Committee on Corrections, Probation and Parole and taken up instanter.

On motions by Senator Jenne, by two-thirds vote HB 2-H was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gordon	McClain	Steinberg
Anderson	Grizzle	McKnight	Stevens
Barron	Henderson	Neal	Stuart
Beard	Hill	Peterson	Thomas
Carlucci	Jenne	Poole	Tobiassen
Childers, D.	Jennings	Rehm	Trask
Dunn	Langley	Renick	Vogt
Frank	Lewis	Scott	Ware
Gersten	Maxwell	Skinner	

Nays—None

Vote after roll call:

Yea—Hair, Jenkins

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed SB 4-H.

*Allen Morris, Clerk*

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed—

SB 37-H	SB 26-H	SCR 11-H	SB 28-H
SB 23-H	SB 6-H	SB 25-H	
SCR 24-H	SB 36-H	SB 16-H	
SB 34-H	SB 14-H	SB 22-H	

*Allen Morris, Clerk*

The bills contained in the above messages were ordered enrolled.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments and passed SB 19-H, as amended.

*Allen Morris, Clerk*

The bill contained in the above message was ordered engrossed and then enrolled.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed as amended, HB's 38-H, 37-H and 44-H.

*Allen Morris, Clerk*

**CO-INTRODUCER**

Senator Henderson—SB 32-H

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of June 21 was corrected and approved as follows:

Page 7, column 2, from bottom, strike lines 1 through 8; and on page 8, column 1, strike lines 1 through 48 and insert:

SB 5-H—A bill to be entitled An act relating to parole; amending s. 947.01, Florida Statutes; increasing the number of members on the Parole and Probation Commission; amending s. 947.02, Florida Statutes; providing for a Parole and Pro-

bation Qualifications Committee; providing procedures for appointment of commissioners; providing for appointments based upon recommendations; providing for the application of public records and public meeting laws to the committee; amending s. 947.04(1), Florida Statutes; providing for the appointment of consenting retired commissioners to the Parole and Probation Commission when the chairman certifies a workload need; repealing s. 20.32, Florida Statutes, relating to the establishment of the Parole and Probation Commission; repealing chapter 947, Florida Statutes, as amended, relating to the duties, responsibilities, and operation of the Parole and Probation Commission; providing for legislative review of the Parole and Probation Commission; providing an effective date.

Page 8, column 1, from bottom, strike lines 9 through 12 and insert:

SB 7-H—A bill to be entitled An act relating to the acquisition of federal lands for adult correctional institutions; providing for use of federal land purchasing procedures; providing for audit of purchases by the Auditor General; providing an effective date.

Page 8, column 1, from bottom, strike lines 16 through 23 and insert:

SB 6-H—A bill to be entitled An act relating to parole and probation; amending s. 947.16(1)(e), Florida Statutes, as amended; requiring parole examiners to interview youthful offenders; amending s. 19, ch. 82-171, Laws of Florida; providing for application of s. 947.16, Florida Statutes, relating to parole interviews; providing a retroactive effective date.

Page 11, at end of column 1 insert:

**Yeas—35**

Mr. President	Grizzle	Margolis	Scott
Anderson	Hair	Maxwell	Skinner
Barron	Henderson	McClain	Stevens
Beard	Hill	McKnight	Thomas
Carlucci	Jenne	Neal	Tobiassen
Childers, D.	Jennings	Peterson	Trask
Dunn	Johnston	Poole	Vogt
Frank	Langley	Rehm	Ware
Gersten	Lewis	Renick	

**Nays—None**

On motion by Senator Dunn, the Senate adjourned sine die at 3:00 p.m.

# JOURNAL OF THE FLORIDA SENATE

Thursday, June 24, 1982

## ENROLLING REPORTS

SB 17-H  
SB 4-H  
SB 14-H  
SB 16-H

SB 22-H  
SB 23-H  
SB 28-H  
SB 34-H

SB 36-H  
SB 37-H  
SB 26-H

SCR 11-H and SCR 24-H have been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on June 24, 1982.

*Joe Brown, Secretary*

—have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 23, 1982.

*Joe Brown, Secretary*

Senate Bills 6-H, 18-H, 25-H and 19-H have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 24, 1982.

*Joe Brown, Secretary*

## CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages numbered from 1 to 41, both inclusive, are and constitute a complete, true and correct journal and record of the proceedings of the Senate of the State of Florida, in Special Session, convened at 11:00 a.m. on the 21st day of June, 1982, adjourned at 3:00 p.m. on the 22nd day of June, 1982. Additionally, there has been included a record of the transmittal of Acts subsequent to sine die adjournment of the Special Session.

*JOE BROWN*  
Secretary of the Senate

Tallahassee, Florida  
June 24, 1982